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STANDING COMMITTEES

OF THE

HOUSE OF REPRESENTATIVES.

1877

JUDICIARY COMMITTEE

FARP,
COLEMAN, of CLARK,
WARREN, of CRAWFORD
McKENNON,
DURHAM,
RICE,
WATSON,
HARRISON of YELL,
FISHBACK,
McRAE,
GIBSON,
DAVIS, of Pope

AUDITOR'S AND TREASURER'S BOOKS.

AVERA,
MORTON,
STANLEY,
BRALY,
RATCLIFF,
WILLS,
GIBSON

MILITIA

EAGLE,
WEAVER,
FISHER,
CHANEY
WILLIAMSON,
PEOPLES
JONES

EDUCATION

STUBBS,
HILL,
TAPP,
SAWYER
DAVIS, of Pope,
LAWHON,
MILLER,
WARREN of CRAWFORD
WILLIAMS of Hot Spring
GARDNER,
WALKER

INTERNAL IMPROVEMENTS

THOMAS
BLANKENSHIP,
BROWN,
BEST
BROCK
CLBAGH
MURPHY

WAYS AND MEANS.

WARREN of Union
COTHAM,
RICE
POYNER
WATSON,
STINSON
DAVIS of SEARCY
THOMASON
EAGLE
AVERA,
HEARN

AGRICULTURE

CHANEY,
ALLEN,
COLE
PRICE
HARRISON of SALINE
BROCK
JONES
MILLER
THOMASON

COUNTY AND COUNTY LINES

DUNAGIN
WEAVER
MAINARD,
LEE,
DAVIDSON
HARRISON of SALINE
MARTIN, of FAULKNER
WHITSON

ROADS AND HIGHWAYS.

SMITH
FLOYD
GARDNER
DUNCAN
FIBBERSON
WOFFORD,
PEARCE

PENITENTIARY

MORGAN
WILLIAMS of Hot Spring
SAMS
WHITING
BARNETT
WILLIAMS of MISSISSIPPI
WEAVER
COLEMAN of PHILLIPS
BRALY
MAINARD
BEST

ENROLLED AND ENGROSSED BILLS

COTHAM
HERVY
PEARCE
BEADLE
MARTIN of FAULKNER,
FOSTER
FISHER

ELECTIONS

REID
ANDREWS
DONATHOO
BARNETT
DURHAM,
WILSON
PEEVY
GRAY
LEE
WARREN of CRAWFORD

PRINTING

RECTOR
BRALY
DAVIDSON,
McHENRY
FLOYD
RICE

CLAIMS

HARRISON of YELL,
LEE,
HEARN,
MATTHEWS,
HUNTER,
JENNINGS,
PRICE
WEAVER

PETITIONS AND MEMORIALS

CUNNINGHAM,
WILLIAMS, of MISSISSIPPI,
WHITING,
BLANKENSHIP,
WHITSON,
DURHAM,
SMITH

PUBLIC BUILDINGS.

WALKER,
EATE,
COBB,
PRIDDY,
POYNER,
SAMS,
DUNCAN

PUBLIC EXPENDITURES

FISHBACK
STINSON
MORTON,
STUBBS
FIBBERSON,
WILLIAMSON,
MATTHEWS

FEDERAL RELATIONS.

COLEMAN of CLARK
FISHBACK,
SAWYER
EAGLE
CUNNINGHAM,
RECTOR,
McKENNON,

STATE LANDS.

GIBSON
WATSON
PARKS
RATCLIFF,
McRAE
LAWHON,
HEARN

CIRCUIT AND JUSTICES COURTS.

WATSON
DAVIS of Pope,
MILLER
MARTIN of DALLAS
LAWHON
BERRY,
DURHAM,
WILLS,
McRAE
THOMAS

COUNTY AND PROBATE COURTS

ROLFSON
HUNTER
STANLEY
BROWN
ALLEN
MARTIN
WHITSON,
SAMS

IMMIGRATION.

DAVIS of Pope
PEOPLES
McHENRY,
REID
PEEVY
WILSON
WOFFORD

RAILROADS.

BARNETT,
ROLFSON,
BEST
WALKER,
COTHAM,
JACKS,
GRAY
MORGAN
WARREN of Union
CUNNINGHAM

APPORTIONMENT.

CLBAGH
JENNINGS
THOMAS
HEARN
HILL,
PRIDDY,
WILLIAMS, of Hot Spring,
SMITH
WARREN of Union

ON JOURNAL

FOSTER
MARTIN of DALLAS,
MORTON
MAINARD,
MOONEY,
LEE,
BERRY

CITIES AND TOWNS.

RATCLIFF
ANDREWS,
MURPHEY,
DAVIS, of SEARCY,
HERVY,
COLEMAN, of PHILLIPS,
PEARCE

Monday Morning February 26th 1877.

Stubbs	Whilson	
Tate	Wilson	
Woffard	Williamson	
Webber	and	
Wells	Mr Speaker	33.

Messrs Davis of Pope, Eagle, McLead, Sams and Smith, were excused from voting.

In the affirmative	33.
In the negative	33.
Excused from voting	5
Absent and not voting	27
	93.

So House Bill No 41. was rejected.

Pending the vote upon House Bill No 41. Mr Eagle asked to be excused from voting.

The question then being put to the House, Shall Mr Eagle be excused from voting?

The House refused to excuse him.

Mr Eagles name being again called by the Clerk, Mr Eagle declined to vote.

Mr. Thomason then moved a reconsideration of the vote by which the House refused to excuse Mr Eagle from voting.

Upon which motion a division of the House was ordered, in which 45 members voted in the affirmative and 5 members voted in the negative.

So the House reconsidered the vote by which the House refused to excuse Mr Eagle from voting.

((Monday February 26th 1877.

The question then being.
Shall Mr Eagle be excused from voting?

The same was put,
And Mr Eagle was excused from voting.

Pending the vote upon House Bill No 41.
Mr McLeod asked to be excused from voting.

Upon which motion a division of the House was ordered. in which 29 members voted in the affirmative. and 27 members voted in the negative.

So Mr McLeod was excused from voting.

Mr Walker gave notice that he would move a reconsideration of the vote by which House Bill No 41. was rejected.

Mr Peoples gave notice that he would move a reconsideration of the vote by which House Bill No 156. was rejected on Saturday last.

On motion of Mr Stubbs,
An indefinite leave of absence was granted to Mr Coleman of Clark, on account of sickness in his family.

House Bill No 89. the next special order for this day was then taken up and the House resolved itself into Committee of the whole, in consideration thereof.
(Mr Fishback in the Chair.)

After some time spent in consideration of the bill,

The Committee rose, and through its Chairman reported progress, and asked leave to sit again

Monday February 26" 1877.
at 2:30 oclock P.M. this day.

On motion of Mr. Davis of Pope the report of the committee of the whole were adopted.

Clk McRae moved that the rules be suspended and that the resolution introduced by him on yesterday, amendatory of the rules, be taken up.

Upon which motion a division of the House was ordered in which 43 members voted in the affirmative and 10 members voted in the negative.

So the rules were suspended.

On motion of Mr Barnett,
At 12:55 oclock P.M. the House took a recess until 2:30 oclock P.M.

After the Recess.

The Speaker called the House to order at 2:30 oclock P.M.

The Clerk called the roll and the following members answered to their names.

Messrs:

Allen	Gotham
Andrews	Gulage
Avera	Davis, of Pope
Barnett	Davis, of Searcy
Berry	Davidson
Best	Duncan
Blankenship	Ellerson
Brock	Farr
Brown	Fishback
Cobb	Fisher

Monday February 26th 1877.

Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Nell
Hearn
Hunter
Jennings
Jones
Lawhon
Lee
Martin, of Faulkner
Matthews
McLeod
McRae
Mooney
Morgan
Morton
Murphy
Peevey
Peoples
Poyner
Price
Ratcliffe
Rector
Reid
Robeson
Sams
Smith
Stinson
Stubbs
Tate
Thomas
Trafford
Walker
Watson
Weaver
Wells
Whitson
Williams, Hot Springs
Williams, Mississippi
Williamson
Willing
Wood
Mr Speaker.

The following members failed to answer to their names at the call of the roll; Messrs:

Bradley
Chaney
Coleman, of Clark
Coleman, of Phillips
Cunningham
Donohoo
Dunagin
Dunham
Eagle
Harrison, of Saline
Headlee
Hervey
Hollis
Jacks
Maimud
Martin, of Dallas
McHenry
McLemore
Miles
Pearce
Priddy
Rice
Sawyer
Stanley
Thomason
Warren, of Crawford
Warren, of Union
Wilson

Monday February 26" 1877.

A quorum of the House announced as present

Mr his own request Mr Harrison of Yell was granted leave of absence for the Evening

The Speaker announced that in accordance with the order of the House this day, the House would now go into Committee of the whole in Consideration of House Bill No 89.

Messrs Braley, Chaney, Warren of Crawford, Eagle Harrison of Yalin and Milor appeared with the Bar of the House and answered to their names.

Mr Reid moved that House Bill No 89 (the Special order) be postponed 10 minutes

Which Motion was adopted

By unanimous Consent the rules were Suspended and Mr Reid Chairman of the Committee on Elections Submitted the following report

Mr Speaker

Your Committee on Elections have had under Consideration House Bill No 44 "An act Entitled an act to amend an act providing a General Election Law." respectfully return the Same with the recommendation that it do not pass.

The report was received

The rules being again Suspended Mr Reid Chairman of the Committee on Elections Submitted a further report as follows:

Rooms Committee on Elections
Little Rock Arkansas Feby 15" 1877.

Mr Speaker:

Your committee on Elections have had under Consideration House Bill # 147.

Monday February 26" 1877.

to be entitled an act to amend an act entitled an act providing a general Election law" approved January 23rd 1875.

Respectfully return the same with the recommendation that it do not pass.

The report was received.

Mr Lee gave notice that a minority report would be submitted from the committee on Elections on House Bill No 147.

The ten minutes for which the special order was postponed having expired,

On motion of Mr Tate,

the special order was again postponed for ten minutes.

The question then being on the adoption of the report of the Committee on Elections which recommends the rejection of House Bill No 44. the same was put.

And,

A division of the House being ordered 26 members voted in the affirmative and 27 members voted in the negative.

So the report of the Committee which recommends the rejection of House Bill No 44.

was rejected.

Mr Reid then moved that the bill be recommitted to the Committee on Elections.

Which motion was put and lost.

Mr Tate then moved that the bill be made the special order for 10 Oclock a.m. on Saturday next.

But withdrew the same.

Monday February 26th 1877.

On motion of Mr Gibson.

H.B. No 44. House Bill No 44. entitled "an act entitled an act to amend an act providing a general election law."

Was read the third time and placed on its final passage.

The question then being.

Shall the bill pass?

The ayes and nays were ordered and the following members voted in the affirmative.

Messrs.

Allen
Andrews
Avera
Barnett
Berry
Best
Blankenship
Braley
Brock
Brown
Chaney
Cobb
Cotham
Eubanks
Cunningham
Davis, of Pope
Davis, of Searcy
Davidson
Duncan
Eagles
Ebberson
Fain
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Yell
Hearn
Hunter
Jennings
Jones
Lawhon
Lee
Martin, of Faulkner
Matthews
McLeod
McRae
Mooney
Morgan
Morton
Murphy
Peoples
Poynor
Price
Ratcliffe
Reeder
Robeson
Sams
Smith

Monday February 26th 1877.

Stinson	Weaver
Stubbs	Wells
Tate	Whitson
Thomason	Williams, Hot Springs
Wofford	Williams, Miss.
Walker	Williamson
Warren, of Crawford	Willing
Watson	and Mr Speaker. 68.

Messrs Jacks, Peevey, Reid and Thomas voted in the negative. 4.

Before the vote was announced Mr Berry changed his vote from nay to aye.

In the affirmative	68.
In the negative	4.
absent and not voting	21
	93.

So the bill passed.

On motion of Mr Braley,
the Committee on Auditors and Treasurers Books was granted leave to sit during the session of the House this evening.

The ten minutes for which the special order was postponed having expired.

On motion of Mr Tarn,
the same was again postponed for ten minutes.

On motion of Mr Tarn,
the rules were suspended.

S.B. No 34 and Senate Bill No 34 entitled "A Bill to be entitled an act to amend section three thousand two hundred and eighty seven of Gantts Digest."

Monday February 26" 1877

Was taken up and read the third time and placed on its final passage.

The question then being:
shall the bill pass

The Clerk called the roll and the following members voted in the affirmative. Messrs:

Allen
Avera
Andrews
Barnett
Berry
Best,
Blankenship
Brock
Brown
Chaney
Cobb
Cothran
Dubose
Cunningham
Davis, of Pope
Davis, of Searcy
Davidson
Duncan
Eagle
Ebberson
Farr
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Harrison, of Saline
Hearn
Hunter
Jacks
Jennings
Jones
Dawson
Lee
Martin, of Faulkner
Matthews
McLeod
McRae
Milam
Mooney
Morgan
Murphy
Peoples
Payne
Price
Rector
Reid
Roleson
Sams
Smith
Stinson
Tate
Thomas
Thompson
Trafford
Walker
Warren, of Crawford
Watson
Weaver
Wilson
Williams, Hot Spring
Williams, Mississippi
Williamson

Wilding Monday February 26" 1877 and Mr Speaker 66.

Messrs Gray, Peevey, Ratcliffe, and Stubbs voted in the negative; 4.

In the affirmative 66.
In the negative 4
Absent and not voting 23
93.

So the bill passed.

The question then being!
Shall the title remain as in the Bill;

The same was passed the original title was adopted

By unanimous consent the rules were suspended and Mr Avera introduced a bill Entitled
H.B No 195 "A Bill to be entitled an ack regulating the payment of money by the State Treasurer."

Which was read the first time

On motion of Mr Avera the rules were then further suspended and the Bill was read the second time and made the Special order for 9 30 Oclock A M on Wednesday next.

Mr Davis of Pope moved that the Special order (H.B 89) be again postponed for ten minutes

Upon which motion a division of the House was ordered in which 38 members voted in the affirmative and 12 members voted in the negative

So the Special order was again postponed

On motion of Mr Davis of Pope the rules

Monday February 26" 1877.

were then suspended and Senate Bill No 70. Entitled

S.B No 70 "A Bill to be entitled an act, amendatory of existing legislative, in regard to the publication of legal notices,

Was taken up and read the first time.

Mr McKennon appeared within the Hall of the House and answered to his name.

Mr Davis of Pope moved a further suspension of the rules that Senate Bill No 70. might be read the second time.

There being objections thereto, a division of the House was ordered when 35 members voted in the affirmative and 17 members voted in the negative.

So the rules were suspended, and the bill was read the second time.

Mr Davis of Pope, then moved that the bill be made the special order for 10 oclock a.m. on Saturday next.

Mr Watson moved to amend the last motion, by referring the bill to the Committee on Printing.

Upon which motion a division of the House was ordered, when 30 members voted in the affirmative, and 20 members voted in the negative.

So the motion was adopted and the bill was referred to the Committee on Printing.

Mr Martin of Faulkner, moved that House Bill No 89. the special order in

Monday February 26th 1877.

committee of the whole House be referred to a select Committee to consist of Messrs Chaney Sams, Rolerson, Sloan and Alvers, with instructions to report the same back by 9:30 oclock a.m. on Wednesday next.

Upon which motion a division of the House was ordered in which 25 members voted in the affirmative and 43 members voted in the negative.

So the motion to refer the bill was rejected

The House then resolved itself into Committee of the Whole in consideration of House Bill No 89.

(Mr Fishback in the Chair)

After some time spent in consideration of the bill the committee rose, and through its Chairman reported progress, and asked leave to sit again at 2:30 Oclock P.M. on tomorrow.

On motion of Mr Davis of Searcy, the report of the committee of the whole was adopted.

At 5:10 Oclock P.M. on motion of Mr Warren of Union,

The House Adjourned.

D. L. Killgore
Speaker.

Thomas M. Newton
Clerk.

Journal of the House of Representatives.

Tuesday Morning February 27th 1877.

The House met pursuant to adjournment at 9 oclock.

The Clerk called the roll and the following members answered to their names: Messrs:

Allen
Andrews
Avera
Barnett
Berry
Best
Blankenship
Braley
Brooks
Brown
Chaney
Cobb
Coleman, of Clark
Cotham
Cubage
Cunningham
Davis, of Pope
Davis, of Searcy
Davidson
Donohoo
Duncan
Dunagin
Durham
Eagle
Ebberson
Farr
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Saline
Harrison, of Polk
Headlee
Horn
Hervey
Hunter
Jacks
Jennings
Jones
Lawhon
Lee
Maynard
Martin, of Faulkner
Matthews
McHenry
McKennon
McLeod
McRae
Milor
Mooney
Morgan
Morton
Murphy
Pearce
Peevey
Peoples
Poynor
Price
Ratcliffe
Reid
Roberson

Tuesday February 27th 1877

Sams Warren, of Crawford
Sawyer Watson
Smith Weaver
Stinson Wells
Stubbs Whitson
Tate Wilson
Thomas Williams, Hot Spring
Thomason Williams, Mississippi
Wofford Williamson
Walker and Mr Speaker. 84.

The following members failed to answer to their names at the call of the roll, Messrs:

Coleman, of Phillips Rice
Hill Stanley
Martin, of Dallas Warren, of Union.
Priddy and
Rector Willing 9.

A quorum announced as present.

Prayer by the Chaplain.

The Journal of Yesterday was then read, and,

On motion of Mr Coleman of Clark, the Journal of yesterday was corrected so as to show that he was absent in attendance on Committees.

On motion of Mr McSteen,

The Journal of yesterday was corrected so as to show that he was present at the first roll call on yesterday.

There being no further objections to the Journal of yesterday, the same was approved and signed by the Speaker and the Clerk.

Mr Warren of Union, appeared within the Hall

Tuesday February 27th 1877

of the House and answered to his name.

The Speaker laid before the House the following communication;

Little Rock Ark.
Feby 27th 1877.

Hon D. L. Hillgore
Speaker House of Representatives.

Dear Sir.

You and the branch of the Legislature over which you have the honor to preside, and its officers, are respectfully invited to visit the Arkansas Penitentiary to day, on adjournment at noon, to examine the new improvements lately made, and to partake of a lunch.

Conveyances will be in waiting at the Capitol gate at 12½ O'Clk P.M. to take all out who may desire to go.

Yours Very Respectfully
T. D. Ward.
Lessee Ark State Penty.

On motion of Mr Smith,

The invitation was accepted by all who wished to avail themselves of the same.

By unanimous consent,

the rules were suspended, and Mr Barnett introduced a bill entitled "An act
H.B. No 196. to amend and re-enact Sec 2. of an act entitled "An act to authorize the State Board of Finance to borrow money to pay the expenses of the state Government, and to pledge the bonds of the state as security" approved, Nov 16. 1875.

Which was read the first time, and,

On motion of Mr Barnett,

the rules were further suspended, and the bill was read the second time.

Tuesday February 27th 1877

Mr Barnett then moved that the bill be made the special order for 10 o'clock a m on tomorrow.

Mr Fishback moved to amend the bill by striking out "25000" and inserting "20,000" in lieu thereof.

Mr Robson moved that the bill be referred to the Committee on Ways and Means.

Whereupon

A division of the House was ordered in which 25 members voted in the affirmative and 42 members voted in the negative.

So the House rejected the motion to refer the bill to the Committee on Ways and Means.

The question then recurring on the adoption of the amendment of Mr Fishback,

Mr Fishback called for the ayes and nays and the call was sustained.

Upon a call of the roll the following members voted in the affirmative, Messrs:

Andrews	Dunagin
Berry	Eagle
Best	Ellerson
Blankenship	Fishback
Braley	Fisher
Brock	Floyd
Brown	Gardner
Cobb	Gibson
Cunningham	Gray
Davis, of Pope	Harrison, of Saline
Davis, of Searcy	Headley
Davidson	Hunter
Donahoo	Jacks
Duncan	Jennings

Tuesday January 27th 1874

Jones	Robeson
Lawhon	Sams
Lee	Sawyer
Maynard	Smith
McHenry	Stubbs
McLemore	Tate
McLeod	Thomas
McRae	Thomason
Miles	Woffford
Mooney	Walker
Morton	Watson
Murphy	Weaver
Pearce	Wells
Peeney	Whitson
Poyner	Williams, Hoke
Price	Young
Rector	
Reid	Williams, Mississippi. 62

The following members voted in the negative;

Allen	Beam
Avera	Martin, of Faulkner
Barnett	Matthews
Blakney	Morgan
Botham	Peebles
Brabage	Ratcliffe
Durham	Stinson
Farr	Warren, of Union
Foster	Williamson
Harrison, of Yell	Mr Speaker 20

On the affirmative 62.
On the negative 20.
Absent and not voting 11
93.

So the amendment was adopted.

On motion of Mr Barnett,
the bill as amended was then made the special order

Tuesday February 27th 1877

for 9:30 oclock a.m. on tomorrow.

Mr Sawyer appeared within the Hall of the House and answered to his name.

By unanimous consent, the rules were suspended and,

On motion of Mr Martin of Faulkner, House Bill No 26. was taken up and the amendments of the Senate thereto, as follows, to wit:

Strike out the words "and Mississippi" in lines 4. and 5. in Sec 1. and change the word "counties" in 5th line, in the same section to "county".

Also strike out the words "either of" in line 3. Sec 2. and change "Counties" to "County" in same line.

and further amend by adding after the word "service" at the end of section 3. the following, to wit: "And all judgements of said court shall be carried into execution, as prescribed by existing laws.

Also by striking out the words "Mississippi counties" in the title of the bill, and insert "county".

Were read the first time,

And,

On motion were concurred in by the House.

By unanimous consent the rules were suspended, and,

H.B. No 197. Mr Sam introduced a bill entitled "An Act to define the Boundary Lines of the City of Little Rock, Ark.

Which was read the first time,

Tuesday February 27th 1877

On motion of Mr Dant, the rules were further suspended and the bill was read the second time, and referred to the committee on Cities and Towns.

By unanimous consent the rules were again suspended.
And,
H.B. No 198 Mr Jacks introduced a bill entitled "An Act to authorize the County Court of Phillips County to make the public levees in said county, public roads."

Which was read the first time,

On motion of Mr Jacks the rules were suspended and the bill was read the second time,

Mr Jacks then moved that the bill be made the special order for 12 Oclock. M. on tomorrow.
upon which,
Mr Donahoo moved that the bill be referred to the Committee on Roads and Highways,
which motion was adopted and the bill was so referred.

Mr Willing appeared within the bar of the House and answered to his name.

On motion of Mr Berry,
the rules were suspended, and Senate Bill
S.B. No 35. No 35. entitled "An Act authorizing the Treasurer to issue certificates of indebtedness in certain cases and for other purposes"
Was taken up and read the first time.

On motion of Mr Berry, the rules were further suspended, and the bill was read the second time,
and, made the special order for 10 oclock

Tuesday February 27th 1877

A.M. on Thursday next.

On motion, Mr Rice was granted leave of absence for the day. ...

House Bill No 1. (the special order for this hour,) was then taken up.

And,

On motion of Mr Davis of Pope, the same was temporarily postponed.

Upon which,

Mr Stubbs for Mr Coleman of Blank introduced the following resolution:

Resolved, that a Committee of 10 members who shall be the Chairmen of the first ten standing committees, shall be appointed by the Speaker, whose duty it shall be to select 10 bills from the Calendar, embracing the most important questions before the House of Representatives - and this duty shall be performed, day by day, so as to have the necessary legislation taken by this body, that may be requisite to meet the emergencies of each day, provided also, that the Committee, shall determine the order of business for each day, and have each day filled with measures taken by the Calendar.

The resolution being amendatory of the rules. On motion of Mr Whitson, the rules were suspended to enable the House to take immediate action thereon

Mr Dunagin then moved to amend the resolution by providing that the bills selected for action on by the House should be classified into 1st Class, 2d Class and 3d Class, &c and that the Bills should be taken up in their order as classified Which was accepted by Mr Stubbs

Tuesday February 27th 1877

Mr Whitson moved to amend the resolution by adding "Chairmen of all the Standing Committees"

The question then being on the adoption of the amendment of Mr Whitson.

The same was put and a division of the House being ordered 47 members voted in the affirmative and 10 members voted in the negative

So the amendment was adopted

Mr McRae moved to amend the resolution as follows "Seven members of the said Committee shall constitute a quorum"

Which amendment was adopted

Mr Warren of Union then moved to amend the resolution by adding to the Committee "the Chairmen of the Special and Joint Committees

Which amendment was adopted

The question then being on the adoption of the resolution.

The same was put and a division of the House being ordered thereon 45 Members voted in the affirmative and 10 Members voted in the negative.

and,

The resolution as amended was adopted

A Message from the Senate by its Secretary Col Jacob Tolich. Who appeared within the bar of the House and read as follows

Senate Chamber
February 27th 1877

Mr Speaker

I am instructed by the Senate to inform your honorable body of the passage of

Tuesday February 27th 1877

S B No 118 "A Bill for an ack to be entitled an ack to define and change the boundary line between the Counties of Clark and Pike"

Also S B No 153 "An ack to regulate the transportation of materials, supplies, and articles used or made in the Arkansas Penitentiary"

Also H B No 121 "An ack to change the time of holding the Probate Court of Dorsey County"

Also H B No 179 "An ack to reduce the amount allowed for printing blank Statements"

and herewith respectfully transmit the same

House Concurrent Resolution No 7, the next Special order was then taken up.

Mr Weaver then moved to postpone the Special order for ten minutes

Which was not agreed to

House Concurrent resolution no 7 was then read for information and

Mr Davis of Pope moved to amend the resolution by striking the word "repudiation" therefrom and to insert in lieu thereof the words "immediate action"

Mr Fishback then offered the following amendment to the resolution.

Add to Section 8,

"Resolved, further that the Finance Board shall not consider any proposition to pay any part of the Railroad aid Bonds"

Mr Jacks moved that the further consideration of the resolution and proposed amendments be indefinitely postponed

Which motion was rejected

Mr Harrison of Yell then offered the follow-

Tuesday February 27th 1877

ing as a Substitute for the proposed amendments.

"Strike out all after the word "immediate" in the fifth line to the word "State" in the seventh line and insert "Settlement of the questions involved by submitting to the people an amendment to the Constitution, declaring certain Bonds fraudulent null and void, and never to be paid, Either principal or interest."

Which amendment was accepted by Mr Davis of Pope and Mr Fishback.

Mr Whitson then offered the following amendment to the amendment of Mr Harrison of Yell.

"And whereas there is still another class that believe in letting the subject "Severely alone" at least until we are prepared to settle honorably with our Creditors."

Which was accepted by Mr Harrison of Yell

The question then being on the adoption of the amendment of Mr Harrison of Yell. the same was put and

The amendment was adopted

The question then being on the adoption of the resolution.

Mr Watson moved that the resolution be ordered Engrossed and made the Special order for 12 O'clock M. on the 8th March next.

Which motion was rejected

The question then being on the adoption of the resolution.

Mr Eagle moved to amend the same by Striking out after the words "Severely alone". the words "at least until we are prepared to settle honorably with our Creditors."

Mr Whitson rose to the point of order that the amendment of Mr Eagle was not in order as

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the amendment offered by himself, and which was now proposed to be amended, had already been adopted.

Which point of order was decided to be not well taken

The question then being on the adoption of the amendment of Mr Eagle

Mr Whitson called for the ayes and nays and the Call was sustained.

The ayes and nays were ordered when the following Members voted in the affirmative. Messrs

Allen	Lawhon
Andrews	Maynard
Avera	Martin of Faulkner
Barnett	Matthews
Braly	McHenry
Brock	McLeod
Cherry	McRae
Cobb	Mooney
Cotham	Morgan
Cubage	Morton
Cunningham	Murphy
Davis of Pope	Peace
Davis of Searcy	Peevy
Davidson	Peoples
Dunnahoo	Poynor
Duncan	Price
Dunagin	Ratcliffe
Durham	Reelon
Eagle	Reid
Farr	Sams
Fishback	Smith
Fisher	Thomason
Floyd	Mofford
Foster	Walker
Gray	Warren of Union
Harrison of Saline	Watson
Hearn	Wells
Hunter	Wilson

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Williams of Hot Springs — Williamson
Williams of Mississippi — and Willing — 60

The following members voted in the negative —

Messrs

Berry		Lee	
Bush		McKennon	
Blankenship		Milor	
Brown		Robeson	
Ebbeson		Sawyer	
Gardner		Stubbs	
Harrison of Lee		Tate	
Hervey		Warren of Crawford	
Jacks		Weaver	
Jennings		Whitson	
Jones	and	Mr Speaker	22

Mr Thomas was excused from voting 1

In the affirmative	60
In the Negative	22
Excused from voting	1
Absent and not voting	10
	93

So the amendment was adopted and the words "at least until we are prepared to settle honorably with our Creditors" were stricken out of the resolution

Mr Robeson then offered the following amendment to the resolution:

That the session of the Legislature be extended beyond the sixty days now designated by the Constitution, and that when it adjourns, it adjourn to meet again on the first Tuesday of December 1877.

The question then being on the adoption of the amendment of Mr Robeson

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Mr Watson called for the ayes and nays, and the call was sustained.

The Clerk called the roll and the following members voted in the affirmative, Messrs: Robeson, Stinson, Tate and Warren of Crawford. 4.

The following members voted in the negative, Messrs:

Allen
Andrews
Avera
Barnett
Berry
Best
Blankenship
Braley
Brock
Chaney
Cobb
Cotham
Erbage
Cunningham
Davis of Pope
Davis of Searcy
Davidson
Donahoo
Duncan
Dunagin
Durham
Eagle
Ellberson
Farr
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison of Saline
Harrison of Mell
Hearn
Hervey
Hunter
Jacks
Jennings
Jones
Lawhon
Lee
Maynard
Martin of Faulkner
Matthews
McHenry
McKennon
McLeod
McRae
Milon
Mooney
Morgan
Morton
Murphy
Pearce
Peevey
Peoples
Poynor
Price
Ratcliffe
Reaton
Reid
Sains
Sawyer
Smith

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Stubbs
Thomason
Woffford
Walker
Warren of Union
Watson
Weaver
Wells
Whitson
Wilson
Williams, Hot Springs
Williams, Mississippi
Williamson
Willing
and
Mr Speaker

79.

In the affirmative 4.
In the negative 79
Absent and not voting 10
93.

So the amendment was rejected.

The question then being on the adoption of House Concurrent Resolution No 7.
the ayes and nays were ordered and the following members voted in the affirmative, Messrs

Allen
Andrews
Avera
Barnett
Best
Blankenship
Brock
Brown
Chaney
Cotham
Cubage
Davis, of Pope
Davidson
Donohoo
Duncan
Durham
Earl
Fisher
Floyd
Foster
Gardner
Gibson
Harrison, of Saline
Harrison, of Mell
Headlee
Hearn
Hunter
Jennings
Maynard
Martin of Faulkner
Matthews
McHenry
McLeod
McRae
Miller
Morgan
Morton
Murphy
Pearce
Peevey

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Peebles
Rice
Ratcliffe
Reston
Reid
Sams.
Sawyer
Smith
Stinson
Stubbs
Tate
Wofford
Warren, of Crawford
Warren, of Union
Williams, Hot Springs
Williams, Mississippi
Williamson
Willing
and
Mr Speaker. 59.

The following members voted in the negative,
Messrs:

Berry
Bratley
Cobb
Cunningham
Davis, of Searcy
Dunagin
Eagle
Ebberson
Fishback
Gray
Henvey
Jacks
Jones
Lawhon
Lee
McKennon
Mooney
Poynter
Rutledge
Thomason
Walker
Watson
Weaver
Wells
Whitson
Wilson 26.

Mr Thomas was excused from voting. 1.

On the affirmative 59.
On the negative 26.
Excused from voting 1
Absent and not voting 7.
93.

So House Concurrent Resolution No 7. was rejected (not two thirds of the whole House voting therefor).

Mr Duncan asked and obtained leave to

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have the following explanation of his vote spread upon the Journal.

Mr Speaker:

Believing that the people who I represent expect and desire that this Assembly make a settlement of the indebtedness of this state and believing that this finance question cannot or will not be settled at this session and in order to give the Finance Board a chance to make suitable adjustment with the Bond holders, and in order that this Assembly may settle the matter in December next. I vote aye.

Mr Smith sent the following explanation of his vote to the Clerks desk.

Mr Speaker.

I vote aye believing it better to pay the expences of an adjourned session with the great probability of an advantageous compromise of the states indebtedness than to run the risk of dividing the state into opposing bitter factions.

Mr Bennett gave notice that he would move a reconsideration of the vote by which H. C. R. No 7. was rejected.

Mr Rice appeared within the Hall of the House and answered to his name.

Mr Robeson moved a suspension of the rules to enable him to call up a bill.

Which motion was not agreed to (only 20 members voting therefor)

Mr Cathcart, Chairman of the Committee on Engrossed Bills submitted the following report:

Mr Speaker:

Your Committee on Engrossed

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Bills having examined H.B. No 1. beg leave to report the same correctly engrossed.

The report was received, and.

H.B. No 1.

On motion of Mr McRae House Bill No 1. entitled "an act to suspend from office county and Township officers during the pendency of presentment or indictment against them, and for other purposes."

Was read the third time and placed on its final passage,

The question then being,
Shall the bill pass?

The Clerk called the roll and the following members voted in the affirmative, Messrs:

Allen
Avera
Barnett
Brock
Chaney
Cobb
Cotham
Embree
Davis, of Pope
Finnagin
Durham
Eagle
Farr
Floyd
Gibson
Harrison, of Saline
Headlee
Hearn
Hervey
Hinton
Jennings

Maynard
Martin, of Faulkner
Matthews
McHenry
McLeod
McRae
Meaney
Morgan
Morton
Pearce
Peebles
Ratcliffe
Reid
Rolerson
Stinson
Walker
Warren, of Union
Watson
Williams, Mississippi
Williamson

and Mr Speaker. 42.

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The following members voted in the negative:

Messrs:

Berry	Murphy
Best	Peevey
Braley	Poynor
Brown	Price
Bruningham	Rector
Davis of Searcy	Rice
Davidson	Sams
Donohoo	Sawyer
Ebberson	Smith
Fishback	Stubbs
Fisher	Tate
Foster	Thomas
Gardner	Wofford
Gray	Warren of Crawford
Jacks	Weaver
Jones	Wells
Lawhon	Whitson
Lee	Wilson
McKennon	and
Milor	Willing 39.

Mr Blankenship was excused from voting.

In the affirmative	42.
In the negative	39.
Excused from voting	1
Absent and not voting	11
	93.

So the bill passed.

The question then being,

Shall the title remain as in the bill?

The same was put,

and the title was adopted.

In accordance with previous notice,

Mr Donohoo submitted the following report from the minority of the Committee

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on Elections on House Bill No 147:

Mr Speaker:

A minority of your Committee on Elections to whom was referred House Bill No 147. have had the same under consideration, and beg leave to report the same back with the following amendment and recommend that it do pass.

signed Jm Donahoe, of Phillips
Wm R Lee, of Newton

The amendment reported by the minority of the committee is as follows towit;

"Strike out all of section nine (9) and number the tenth and eleventh sections nine and ten exectively."

The report was received.

House Joint Resolution No 11. the next special order for the day, was then taken up.

Mr Avera moved to amend the Resolution by striking the whole of the first section therefrom.

Which amendment was adopted,

and the first section was stricken from the Resolution.

Mr Avera then moved to further amend the Resolution by striking out all in the 6th section thereof, after the word "Governor"

Which amendment was adopted.

The question then being on the profosed amendment of Mr Cunningham, to wit;

"Amend section 8, by striking out "five

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millions" and insert "four millions"

Mr Best moved to amend the amendment by striking out "four millions" and inserting "two millions" in lieu thereof.

Which amendment to the amendment was rejected.

Mr Best then moved to amend the amendment by striking out "four millions" and inserting "three millions" in lieu thereof.

Upon which motion a division of the House was ordered in which 19 members voted in the affirmative and 35 members voted in the negative.

So the amendment to the amendment was rejected.

The question then recurring on the adoption of the amendment of Mr Bonningham,

The same was put,

And a division of the House being ordered 25 members voted in the affirmative and 31 members voted in the negative.

So the amendment was rejected.

Mr Stubbs then moved to amend the Resolution by striking out the whole of the eighth section thereof.

Upon which motion,

Mr Avera called for the ayes and nays and the call was sustained.

The Clerk called the roll and the following members voted in the affirmative,

Messrs:

Allen
Barnett
Berry
Best

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Blankenship
Brown
Coleman, of Clark
Cothran
Cunningham
Davis, of Searcy
Davidson
Donohoo
Dunagin
Eagle
Ebberson
Fishback
Foster
Gibson
Gray
Harrison, of Saline
Hearn
Jacks
Jones

Lawhon
Lee
Maynard
McHenry
Miller
Mooney
Murphy
Price
Rice
Roberson
Sawyer
Stubbs
Wofford
Warren, of Crawford
Watson
Weaver
Whitson
and
Williams Mississippi 41.

The following members voted in the negative, Messrs:

Avera
Braley
Brock
Cobb
Eubanks
Davis, of Pope
Dunham
Floyd
Gardner
Harrison, of Nell
Headlee
Hervey
Hunter
Jennings
Martin, of Faulkner
Matthews
McKennon
McLeod

McRae
Morgan
Morton
Pearce
Peeney
Peebles
Poynor
Ratcliffe
Reston
Reid
Sams
Smith
Tate
Thomason
Walker
Warren of Union
Wells
Wilson

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Williams, Hot Springs, Williamson and Mr Speaker 4o.

In the affirmative 41
In the negative 40
Absent and not voting 12
93.

So the amendment was adopted.

Mr Fishback then moved to amend the Resolution.

Upon which Mr Avera moved that the further consideration of the Resolution and the proposed amendment, be indefinitely postponed.

Upon which,

Mr Fishback called for the ayes and nays and the call was sustained.

The Clerk called the roll and the following members voted in the affirmative, Messrs:

Allen
Avera
Berry
Best
Braley
Brock
Brown
Cabb
Coleman, of Clark
Cotham
Cubage
Cunningham
Dunaglin
Eagle
Ellerson
Fishback
Gibson
Harrison, of Saline
Harrison, of Polk
Headlee
Hervey
Jacks
James
Lee
Matthews
McKennon
Mooney
Morgan
Peevey
Peoples
Poynor
Price
Ratcliffe
Rector
Rice
Roleson
Sawyer
Smith
Tate
Thomason

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Wofford
Walker
Warren of Union and. Watson
Wells
Whitson 46.

The following members voted in the negative
Messrs.

Barnett
Blankenship
Chaney
Davis of Pope
Davis of Searcy
Davidson
Donohoo
Durham
Floyd
Foster
Gardner
Gray
Hearn
Hunter
Jennings
Lanehan
Martin of Faulkner
Maynard
McHenry
McLeod
McRae
Milor
Morton
Murphy
Pearce
Reid
Sams
Stubbs
Warren of Crawford
Weaver
Wilson
Williams of Hot Springs
Williams, Mississippi
Williamson
and
Mr Speaker. 35.

In the affirmative 46.
In the negative 35
Absent and not voting 12
93.

So the further consideration of S.B.J.R. No 11. was indefinitely postponed.

Mr McHenry moved a suspension of the rules to enable him to introduce a bill.

Which motion was not agreed to (only 19 members voting therefor)

Mr Gibson moved a suspension of the rules to enable him to call up Senate

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Bill No. 36.

which motion was not agreed to (only 4 members voting therefor)

On the regular order of business.

House Bill No 97. was then taken up, and.

On motion of Mr Gibson

H B No 97. House Bill No 97. entitled "An act requiring the attorney General of the state of Arkansas to record our opinion, which he may be called upon to give on any particular point"

Was read the third time and placed on its final passage.

The question then being,

Shall the bill pass?

The Clerk called the roll and the following members voted in the affirmative, Messrs:

Berry	Harrison, of Saline
Best	Harrison, of Polk
Blankenship	Headlee
Bhaney	Hearn
Cobb	Hunter
Eubage	Jacks
Cunningham	Jennings
Davis, of Pope	Jones
Davis, of Searcy	Lawhon
Davidson	Lee
Donahoo	Maynard
Dunagin	Martin, of Faulkner
Eagle	Matthews
Fishback	McHenry
Fisher	McKennon
Foster	McLeod
Gardner	Mooney
Gibson	Morgan
Gray	Morton.

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Murphy	Thomas
Pearce	Thomason
Peeney	Trafford
Poyner	Warren of Crawford
Price	Warren of Union
Ratcliffe	Watson
Rector	Weaver
Reid	Wilson
Rice	Williams, Hot Springs
Rulenson	Williams, Mississippi
Sawyer	Williamson
Smith	and
Tate	Mr Speaker. 61.

Messrs Allen, Brock, Cottram, Milon Stubbs and Walker voted in the negative. 6.

In the affirmative	61.
In the negative	6.
Absent and not voting	26
	93.

So the bill passed.

The question then being,
Shall the title remain as in the bill?
The same was put,
and the title was adopted.

On motion of Mr Peeney,
Mr W H Howes was invited to a seat upon the floor of the House.

Mr Gray moved a suspension of the rules in order to take up House Bill No 131.

Which motion was not agreed to (only 12 members voting therefor)

H.B. House Bill No 99. entitled "A Bill to be No 99. entitled an act to amend section three

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of an act entitled an act to be entitled an act to amend sections six hundred and one (601) and six hundred and two (602) of Gantts Digest, and to limit the power of County Courts and Agents to make contracts, and to regulate appropriations approved December 7th 1875."

Was read the third time and placed on its final passage.

The question then being:

Shall the bill pass? and after debate thereon,

On motion of Mr Allen, the bill was referred to the Judiciary Committee.

On motion of Mr Weaver,

the rules were suspended, and,

House Bill No 66. was taken up, and,

On motion of Mr Davis of Pope,

H.B. No 66. House Bill No 66. entitled "A Bill entitled an act to repeal an act entitled an act to license and regulate the trading on navigable streams of this state and for other purposes."

Was read the third time and placed on its final passage,

The question then being:

Shall the bill pass?

The Clerk called the roll and the following members voted in the affirmative, Messrs:

Allen	Berry
Andrews	Bert
Aven	Blankenship
Barnett	Brock

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Chaney
Cobb
Cotham
Cubage
Cunningham
Davis of Pope
Davidson
Donohoo
Duncan
Eagle
Farr
Fisher
Floyd
Foster
Gibson
Gray
Harrison of Calvin
Harrison of Yell
Hearn
Hunter
Jacks
Jennings
Lawhon
Martin of Faulkner
McHenry
McKennon
McLeod
McRae
Mooney
Morgan
Murphy
Pearce
Peeney
Poynter
Price
Reid
Rice
Robeson
Sams
Sawyer
Smith
Stubbs
Tate
Thomas
Thomason
Trapnall
Warren of Crawford
Warren of Union
Watson
Weaver
Wells
Williams of Mississippi
Williamson
Mr Speaker. 62.

Messrs Davis of Searcy, Dunnagin, Gardner Maynard and Morton voted in the negative. 5.

In the affirmative 62.
In the negative 5
Absent and Not voting 26.
93.

So the bill passed.

The question then being,
Shall the title remain as in the bill?

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The same was put,
and the original title was adopted.

Mr Chaney moved a suspension of the rules to enable him to call up Senate Bill No 13,

There being objections thereto, a division of the House was ordered in which 30 members voted in the affirmative and 7 members voted in the negative.

No quorum voting,

Mr Lubage now moved that the House take a recess until 2:30 oclock P.M. Upon which,

Mr Reid moved to adjourn, but withdrew the same,

Mr Lubage then withdrew his motion for a recess of the House,

Mr McClennon then moved a suspension of the rules to enable him to call up, Senate Bill No 13.

Upon which motion a division of the House was ordered in which 46 members voted in the affirmative and 3 members voted in the negative,

And,
the rules being suspended,

On motion of Mr Chaney,
S.B. No 13. Senate Bill No 13, ~~entitled~~ "A Bill to be entitled an act to prevent the driving of stock out of their usual range by persons not owning, or entitled to control the same."

Was taken up and read the third time

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and placed on its final passage.

The question then being,
Shall the bill pass?

And after debate thereon,

Mr Harrison of Mell moved a reconsideration of the vote by which Senate Bill No 13. was read the third time and placed on its final passage.

Which motion was not agreed to.

The question then being,
Shall the bill pass?

The ayes and nays were ordered when the following members voted in the affirmative; Messrs:

Allen
Andrews
Avera
Barnett
Berry
Blackenship
Brock
Chaney
Cobb
Cotham
Eubage
Cunningham
Davis of Pike
Davis, of Searcy
Davidson
Duncan
Dunnagin
Eagle
Finn
Fishback
Fisher
Floyd
Gardner
Gibson
Harrison, of Saline
Harrison, of Mell
Harvey
Hunter
Jones
Lawhon
Maynard
Martin, of Faulkner
Matthews
McHenry
McKennon
McLeod
McRae
Milar
Mooney
Morgan

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Murphy	Smith
Pearce	Tate
Payne	Thomas
Ratcliffe	Thomason
Reeder	Wofford
Reid	Warren, of Union
Rice	Wemer
Robeson	Wells
Sawyer	Williams, Hot Springs 58.

The following members voted in the negative,

Messrs.	
Best	Price
Brown	Sams
Donohoo	Stubbs
Foster	Walker
Gray	Warren of Crawford
Hearn	Watson
Jacks	Whitson
Jennings	Williams, Mississippi
Lee	Williamson
Morton	and
Peevey	Mr Speaker. 21.

Mr Willing was excused from voting.

On the affirmative	58.
On the negative	21.
Excused from voting	1.
Absent and not voting	13.
	93.

So the bill passed.

The question then being,
Shall the title remain as in the bill?
The same was put,
And the title was adopted.

Mr Warren of Union moved a suspension of the rules to enable him to

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Call up Senate Bill No.
Which was not agreed to.

At 12:30 oclock P.M.
On motion of Mr Tant,
the House took a recess until 2:30
Oclock P.M.

After the Recess.

The Speaker called the House to order at
2:30 oclock P.M.

The Clerk called the roll and the follow-
ing members answered to their names.

Present:

Allen
Andrews
Berry
Blankenship
Braley
Brock
Chaney
Cobb
Cothran
Crabage
Cunningham
Davis, of Pope
Davis, of Searcy
Duncan
Dunagin
Eagle
Fann
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Saline
Harrison, of Yell
Hearn
Hunter
Jacks
Jennings
Jones
Lawhon
Lee
Maynard
Martin of Faulkner
Matthews
McHenry
McLeod
McRae
Milton
Mooney
Morgan
Morton
Peevey
Payne
Ratcliffe

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Reston
Reid
Rice
Robeson
Sams
Smith
Stubbs
Tate
Thomas
Thomason
Walker
Warren of Crawford
Watson
Weaver
Wells
Whitson
Williams, Hot Springs
Williams, Mississippi
Williamson
Willing
and
Mr Speaker 67.

The following members failed to answer to their names at the call of the roll, Messrs:

Avera
Barnett
Best
Brown
Coleman, of Clark
Coleman, of Phillips
Davidson
Donaghoo
Dunham
Ebberson
Hamlee
Harvey
Hill
Martin of Dallas
McKennon
Murphy
Pearce
Peoples
Price
Priddy
Sawyer
Stanley
Stinson
Wofford
Warren, of Union
Wilson
and
26

A quorum of the House announced as present.

The Speaker announced that the order of business was the consideration of House Bill No 89. in Committee of the Whole.

Mr McHenry moved that House Bill No 89. the special order, be postponed for ten minutes to enable him to introduce

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a bill.

There being objections thereto, a division of the House was ordered in which 87 members voted in the affirmative and 2 members voted in the negative.

No quorum voting.

The question then being,

On the motion to postpone the special order. the ayes and nays were called and the call sustained.

The Clerk called the roll and the following members voted in the affirmative:

Messrs.

Allen
Barnett
Berry
Blankenship
Braley
Brooks
Cobb
Cotham
Cubage
Davis, of Pope
Davis, of Searcy
Duncan
Dunagin
Eagle
Fish
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison of Saline
Harrison of Yell
Hearn
Jacks
Jennings
Jones
Lawhon
Maynard
Martin of Faulkner
Matthews
McHenry
McLeod
McRae
Milam
Mooney
Morgan
Morton
Pearce
Poynor
Ratcliffe
Reeton
Reid
Roleson
Sams
Smith
Stubbs
Tate
Thomas

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Thomason Williamson
Weaver Willing
Wells and Mr Speaker 56.
W

The following members voted in the negative,
Messrs;

Andrews Walker
Chaney Warren, of Crawford
Cunningham Watson
Hamlet Whitson
Lee Williams, Hot Springs
Peevey and
Rice Williams, Mississippi 13.

On the affirmative 56.
On the negative 13
Absent and not voting 24
93.

And,

The special order being postponed

H.B. Mr McHenry introduced a bill entitled
No 199. "An act for the relief of Thomas Gillem"

Which was read the first time,

On motion of Mr Eagle the rules were suspended and,

The bill was read the second time

Mr McHenry then moved that the bill be made the special order for 10 oclock a.m. on tomorrow.

Upon which,

Mr Whitson moved to refer the bill to the Committee on Claims,

Upon which motion,

A division of the House was ordered

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in which 32 members voted in the affirmative and 19 members voted in the negative.

So the motion was adopted and the bill was referred to the Committee on Claims.

House Bill No 89. the special order in Committee of the whole, was then taken up.

Mr Farr moved that the special order be postponed until 2:30 oclock a.m. on tomorrow.

upon which.

Mr Roberson moved that House Bill No 89 be referred to a select Committee of five.

Which motion was ruled out of order

Mr Barnett moved that the House take a recess until 7 oclock P.M.

upon which.

Mr Reid moved to adjourn.

Upon which motion.

A division of the House was ordered in which 20 members voted in the affirmative and 43 members voted in the negative

So the House refused to adjourn.

The question then recurring on the motion of Mr Farr, to postpone the special order.

Mr Watson moved that the House take a recess until 7 Oclock P.M.

upon which motion.

A division of the House was ordered in which 26 members voted in the affirmative and 37 members voted

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in the negative.

So the House refused to take a recess,

Messrs Peebles, Hervey and McClennon appeared within the Hall of the House and answered to their names.

The question then being on the motion of Mr Farr to postpone the special order,

Mr Thomason moved to adjourn

Upon which motion,

Mr Harrison of Yell, called for the ayes and nays and the call was sustained,

The Clerk called the roll and the following members voted in the ~~affirmative~~ negative,

Messrs:

Allen	McHenry
Andrews	McKennon
Avera	McLeod
Barnett	Milon
Best	Mooney
Braley	Morton
Cockrum	Peevey
Davis, of Searcy	Peebles
Dunagin	Poyner
Farr	Ratcliffe
Fisher	Reid
Foster	Rice
Gardner	Sams
Gray	~~Tate~~
Harrison, of Saline	Thomason
Hervey	Walker
Hunter	Warren, of Union
Lee	Watson
Martin of Faulkner	Willing

35.

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The following members voted in the negative

Messrs,

Berry
Blankenship
Brack
Calhoun
Cobb
Eubanks
Cunningham
Davis of Pope
Duncan
Durham
Eagle
Fishback
Floyd
Gibson
Harrison of Polk
Hearn
Jacks
Jennings

Lawhon
Maynard
Matthews
McRae
Morgan
Reeder
Robeson
Smith
Stubbs
Thomas
Warren of Crawford
Weaver
Whitson
Williams, Hot Springs
Williams, Mississippi
Williamson

and

Mr Speaker. 35.

On the affirmative 38.
On the negative 35.
About and not voting 20
93.

Whereupon,
At 3:20 o'clock P.M.
the House Adjourned.

Thomas W. Newton
Clerk.

W L Hollowell
Speaker.

Journal of the House of Representatives.

Wednesday Morning February 28th 1877.

The House met pursuant to adjournment at 9 Oclock.

The Clerk called the roll and the following members answered to their names: Messrs:

Allen
Andrews
Avera
Barnett
Berry
Best
Blankenship
Braley
Brock
Chaney
Cobb
Cotham
Cribbage
Cunningham
Davis, of Pope
Davis, of Searcy
Davidson
Donahoo
Duncan
Dunagin
Dunham
Eagle
Ebberson
Farr
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Saline
Harrison, of Polk
Headlee
Hearn
Hervey
Hunter
Jacks
Jennings
James
Lanham
Lee
Maynard
Martin, of Faulkner
Matthews
McHenry
McKennon
McLeod
McRae
Milam
Mooney
Morgan
Morton
Murphy
Pearce
Peevey
Peoples
Poynter
Price
Ratcliffe
Reid
Rolerson
Sams
Sawyer

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Smith
Stubbs
Tate
Thomas
Thomason
Wofford
Walker
Warren, of Crawford
Warren, of Union
Watson
Weaver
Whitson
Wilson
Williams, Hot Springs
Williams, Mississippi
Williamson
Willing
and Mr Speaker.

The following members failed to answer to their names at the call of the roll: Messrs:

Brown
Coleman, of Clark
Coleman, of Phillips
Hill
Martin, of Dallas
Priddy
Rector
Rice
Stanley
Stinson
and
Wells

11.

A quorum announced as present.

Prayer by the Chaplain.

The Journal of yesterday was then read by the Clerk, and there being no objection thereto, was approved, and signed by the Speaker and the Clerk.

House Bill No 89, the special order in Committee of the whole, which was laid over on yesterday.

Was then taken up.

Mr Fishback then moved that the same be postponed and made the special order for 2:30 oclock P.M. of to day. Upon which motion,

A division of the House was ordered in which 34 members voted in the affirmative and 25 members voted in the negative,

Wednesday February 28th 1877

So the motion was adopted.

and House Bill No 89. was made the special order for 2:30 Oclock P.M. of this day, in Committee of the whole.

Messrs Davis of Searcy and Brown appeared within the Hall of the House and answered to their names.

Mr Davis of Pope rose to a question of privilege and corrected what he said on yesterday in regard to the loss of a bill of the House in the Senate.

House Bill No 195. the next special order for the day.

Was then taken up.

and,

On motion of Mr Avera.

H.B. No 195. House Bill No 195, entitled "A Bill to be entitled an act regulating the payment of money by the state Treasurer."

Was read the third time and placed on its final passage.

The question then being,

Shall the bill pass?

The ayes and nays were ordered, when the following members voted in the affirmative, Viz:

Allen	Brown
Andrews	Chaney
Avera	Cobb
Barnett	Cotham
Berry	Eubanks
Best	Cunningham
Blankenship	Davis, of Pope
Braley	Davis, of Searcy,
Brock	Davidson,

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Duncan
Dunagin
Dunham
Eagle
Ebberson
Farr
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Saline
Harrison, of Polk
Headlee
Hearn
Hervey
Hunter
Jacks
Jennings
Jones
Lawhon
Lee
Maynard
Martin, of Faulkner
Matthews
McHenry
McKennon
McLeod
McRae

Miller
Mooney
Morgan
Morton
Murphy
Pearce
Peevey
Pemberton
Poynter
Price
Ratcliffe
Reid
Roberson
Sams
Sawyer
Smith
Stubbs
Tate
Thomas
Thomason
Treffort
Walker
Warren, of Union
Watson
Weaver
Whitson
Wilson
Williams, Hot Springs
Williamson
Willis

and Mr Speaker. 80.

In the affirmative 80.
In the negative 00
Absent and not voting 13
93.

So the bill passed.

The question then being,
Shall the title remain as in the bill?

Wednesday Febuary 28th 1877

The same was put,
and the original title was adopted.

House Bill No 196. the next special order for the day.
Was then taken up,
and,
On motion of Mr Barnett.

H.B. No 196. House Bill No 196. entitled "an act to amend and re-enact section two of an act entitled an act to authorize the state Board of Finance to borrow money to pay the expences of the state government, and to pledge the bonds of the State as security" approved November 16. 1875.

Was read the third time and placed on its final passage.

Mr Robeson gave notice that he would move a reconsideration of the vote by which the bill was read the third time and placed on its final passage.

Mr Whitson moved that the bill be referred to the Committee on Ways and Means.

A message from the Senate by Col Jacob Froleich, who appeared within the Hall of the House and read as follows:

Senate Chamber
Feby 28th 1877.

Mr Speaker:
I am instructed by the Senate to inform your honorable body of the passage of

S.J.M. No 2. S.J.M. # 2. "A Memorial for the improvement of the navigation of the St Francis river."

S.B. No 75. Also S.B. No 75. "An act to make valid given certificates"

alog.

Wednesday February 28th 1877.

S.B. No 155. S.B. No 155. "an act dividing the state into 13 Judicial Circuits, fixing the time for holding Courts and fixing the salaries of Judges of Circuit Courts."
and herewith respectfully transmit the same for your favorable consideration.

The question then recurring on the motion of Mr Whitson to refer bill No 196. to the Committee on Ways and Means.

Mr Whitson called for the ayes and nays and the call was sustained.

The Clerk called the roll and the following members voted in the affirmative. Messrs:

Allen	Lawhon
Berry	See
Best	Maimard
Blankenship	McClennon
Brown	McLeod
Chaney	Milor
Cobb	Murphy
Cubage	Price
Cunningham	Ratcliffe
Davis, of Searcy	Reston
Donahoo	Robeson
Dunagin	Sams
Eagle	Sawyer
Ebberson	Thompson
Fisher	Stafford
Gibson	Walker
Harrison, of Saline	Warren, of Crawford
Harrison, of Polk	Watson
Hunter	Whitson
Jacks	Williamson 40

The following members voted in the negative.
Messrs:

Andrews	Dunn

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Bonnett	Matthews
Braley	McSteeny
Brock	McRae
Cothran	Mooney
Davis, of Pope	Morgan
Davidson	Morton
Duncan	Pearce
Durham	Peeney
Fishback	Peeples
Floyd	Poyner
Foster	Reid
Gardner	Stubbs
Gray	Tate
Headley	Thomas
Hearn	Warren, of Union
Hervey	Weaver
Jennings	Williams, Hot Springs
Jones	Willing
Martin, of Faulkner and	Mr Speaker. 40.

On the affirmative	40.
On the negative	40.
Absent and not voting	13
	93.

So the House refused to refer the bill.

Mr Wells appeared within the Hall of the House and answered to his name

The question then recurring on the passage of House Bill No 196.

Mr Robeson moved to indefinitely postpone the bill;

upon which motion,

Mr Jennings moved the previous question.

The question then being;

Shall the main question be now put?

Wednesday February 28th 1877

A division of the House was ordered; when 43 members voted in the affirmative, and 28 members voted in the negative.

So the main question was ordered.

The question then being on the motion to indefinitely postpone House Bill No 196.

The ayes and nays were ordered when the following members voted in the affirmative.

Messrs:

Berry	Rector
Best	Robeson
Brown	Sams
Cunningham	Sawyer
Jackson	Warren, of Crawford
Lee	Whitson
McKennon	

The following members voted in the negative,

Messrs:

Allen	Farr
Andrews	Fishback
Avera	Fisher
Barnett	Floyd
Blankenship	Foster
Braley	Gardner
Brock	Gibson
Chaney	Gray
Cobb	Harrison, of Calvin
Cottram	Harrison, of Mell
Cubage	Headley
Davis, of Pope	Hearn
Davidson	Hervey
Donahoo	Hunter
Duncan	Jennings
Dunagin	Jones
Dunham	Lawhon
Eagle	Maiwand

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Martin of Faulkner		Reid
Matthews		Smith
McHenry		Stubbs
McLeod		Tate
McRae		Thomas
Milor		Thomason
Mooney		Wofford
Morgan		Walker
Morton		Warren of Union
Murphy		Watson
Pearce		Weaver
Peevey		Wells
Peeples		Wilson
Poynter		Williams Hot Springs
Price		Williamson
Ratcliffe	and	Mr Speaker. 68.

Before the vote was announced Messrs. Lawhon and Walker changed their vote from aye to nay.

On the affirmative	13
On the negative	68
Absent and not voting	12
	93.

So the House refused to indefinitely postpone the bill.

The question then being on the passage of House Bill No 196.

Mr Peeples moved the previous question.

The question then being,
Shall the main question be now put?

The same was put,
and the main question was ordered.

Wednesday February 28th 1877

+ The question then being.
Shall the bill pass?

The ayes and nays were ordered when the following members voted in the affirmative.
Messrs:

Allen
Andrews
Avera
Barnett
Blankenship
Braley
Brock
Brown
Chaney
Cobb
Cothran
Cubage
Davis, of Pope
Davidson
Donahoo
Duncan
Dunnagin
Durham
Garr
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Saline
Harrison, of Yell
Headley
Hearn
Hervey
Jennings
Jones
Lawhon
Maynard
Martin, of Faulkner
Matthews
McHenry
McLeod
Milam
Mooney
Morgan
Morton
Murphy
Pearce
Peevey
Peoples
Payne
Price
Ratcliffe
Reid
Sawyer
Smith
Stubbs
Tate
Trafford
Warren, of Union
Weaver
Wilson
Williams, Hot Spring
Williamson
and
Mr Speaker. 61.

The following members voted in the negative. Messrs:

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Berry	Rector
Best	Robeson
Brumingham	Sams
Eagle	Thomas
Fishback	Thomason
Hunter	Walker
Jacks	Warren of Crawford
Lee	Watson
McKennon	Wells
McRae	Whitson 20.

In the affirmative 61.
In the negative 20
absent and not voting 12
93.

So the bill passed.

The question then being:
Shall the title remain as in the bill?

The same was put,
And the original title was adopted.

Mr Cotham Chairman of the Committee on Engrossed Bills submitted the following report:

Mr Speaker:

Your Committee on Engrossed Bills having examined S.B. No 194. "An act to reduce the expense of conveying convicts to the Penitentiary" herewith return the same correctly engrossed.

The report was received.

Mr Robeson gave notice that on tomorrow he would move a reconsideration of the vote by which House Bill No 196. was passed.

House Bill No 194. the next special order for the day, was then taken up, and

Wednesday February 28th 1877

H.O.B. No 194. House Bill No. 194. entitled "an act to reduce the expense of conveying convicts to the Penitentiary."

Was read the third time and placed on its final passage.

The question then being:
Shall the bill pass?

The ayes and nays were ordered; when the following members voted in the affirmative

Messrs:

Allen	Harrison of Saline
Andrews	Harrison of Scott
Barnett	Headlee
Berry	Hunter
Best	Jacks
Blankenship	Jennings
Braley	Jones
Brock	Lawhon
Brown	Lee
Chaney	Maynard
Cobb	Martin of Faulkner
Cotham	Matthews
Cunningham	McHenry
Davis of Pope	McKennon
Davidson	McLeod
Donohoo	McRae
Duncan	Miller
Dunagin	Mooney
Dunham	Morgan
Eagle	Morlon
Fishback	Murphy
Fisher	Pearce
Floyd	Peevy
Foster	Peoples
Gardner	Poynor
Gibson	Price
Gray	Ratcliffe

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Reelon	Walker
Reid	Warren of Crawford
Roleson	Watson
Sams	Weaver
Sawyer	Wells
Smith	Whitson
Stubbs	Wilson
Tate	Williams of Hot Springs
Thomas	Williamson
Thomason	and
Wofford	Mr Speaker 75

Before the vote was announced Mr Hearn changed his vote from Aye to Nay

In the affirmative 75
In the negative 1
Absent and not voting 17
93

So the Bill passed

The question then being
Shall the title remain as in the Bill?

The Same was put
and the original title was adopted

Mr Headlee moved a suspension of the rules to enable him to Call up Senate Memorial No

Upon which motion a division of the House was ordered in which 33 Members voted in the affirmative and 3 Members voted in the negative.
No quorum voting — the Motion was lost

Mr Roleson Chairman of Special Committee raised under a resolution of the House adop-
-ted on yesterday. Submitted the following rep-
-ort.

Mr Speaker Wednesday February 28th 1877

Your Special Committee composed of the Leads of Standing, Special and Joint Committees for the purpose of Selecting Bills for the Consideration of the House, and other purposes beg leave to report that they have selected for to days Consideration. Senate Bills Nos. 2, 80, 57, 36 and 52, and House Bills Nos 70, 180, 105, 185 and 5.

The report was received and adopted.

Mr McKennon moved a Suspension of the order of business to Enable him to Submit a report from Committee on the Bill to change the boundary line between the Counties of Johnson and Pope.

There being objections thereto a division of the House was ordered in which 26 Members voted in the affirmative and 2 Members voted in the negative

No quorum voting, the motion was lost.

By unanimous consent Mr Morgan for the Committee on Railroads Submitted the following report

Mr Speaker

Your Committee on Railroads to whom was referred Senate Bill No 2 have had the same under consideration and recommend that it do pass.

The report was received.

and

Mr Gibson moved that Senate Bill No 2 be read the third time and placed on its final passage.

Mr Peoples then offered to amend the Bill as follows.

"Provided that before any corporation shall make a change in the road bed for a distance more than five miles from the orignal

Wednesday February 28th 1877

location that they shall fish pay or secure all dam-
-ages which any person may sustain by reason of such
change, such damages to be assessed by a jury of the
County in which the injury was done.

Mr Rice moved to lay the amendment on the table.

But withdrew the same

On Motion of Mr Reid the Hon B F Askew was
invited to a seat on the floor of the House

The question then being on the adoption of the
amendment of Mr Peoples to Senate Bill No
2.

And.

After debate thereon, the same was put,
and the amendment was rejected.

Mr Cunningham then moved to amend the Bill
as follows.

"Amend by adding to the end of Sec-
-tion one as follows. "Provided further: that
nothing in this act shall be so construed as to
release any lien of the State on said Railroads
but the same shall as to the new road bed,
fixtures and rolling stock apply to and be in force
against the said road as changed as if no
change had been made in the location.

On Fishback moved the rejection of the
amendment.

The question then being,
On the motion of Mr Fishback to
reject the amendment.

And after debate thereon,
The same was put,
And the amendment was rejected,

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The question then being,
On the motion of Mr Gibson,
that Senate Bill No 2. be read the third time and placed on its final passage.

Mr Bathum moved the previous question.

The question then being:
Shall the main question be now put.

The same was put,
and the main question was ordered.

The question then being,
Shall the bill be read the third time?

On motion of Mr Barnett,
S. B. No 2. Senate Bill No 2. entitled "A Bill to be entitled an act authorizing the change or abandonment of location by Rail Road corporations."

Was read the third time and placed on its final passage,

The question then being,
Shall the bill pass?

The ayes and nays were ordered when the following members voted in the affirmative, Viz:

Allen	Bathum
Andrews	Burbage
Avera	Davis of Pope
Barnett	Donohoe
Best	Drumm
Blankenship	Dunagin
Brock	Dunham
Brown	Ebberson
Cobb	Fishback

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Floyd
Gibson
Harrison, of Saline
Harrison, of Mell
Hearn
Hervey
Jacks
Jones
Matthews
McRae
Morgan
Morton
Murphy
Pearce
Peevey
Poynter
Price
Ratcliffe
Reid
Rice
Sawyer
Smith
Tate
Woffford
Warren, of Union
Wilson
Williamson

Yeas

Mr Speaker 46.

The following members voted in the negative,
Messrs.

Berry
Blakney
Cunningham
Davis, of Searcy
Davidson
Eagle
Foster
Gardner
Gray
Headlee
Hunter
Jennings
Lawhon
Lee
Maynard
Martin, of Faulkner
McKenny
McKennon
McLeod
Miller
Mooney
Peoples
Rector
Rolleson
Sams
Stubbs
Thomas
Thomason
Walker
Watson
Weaver
Wells
Whitson
Williams, Hot Springs
and
Willing 35.

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Before the vote was announced Messrs Berry Chaney, Martin of Faulkner, Maynard, McHenry and McLeod changed their votes from aye to nay.

In the affirmative	46.
In the negative	35.
Absent and not voting	12
	93.

So the bill passed.

The question then being,
shall the title remain as in the bill?

The same was put,
and the title was adopted,

Mr Eagle gave notice that he would move a reconsideration of the vote by which Senate Bill No 2. was passed,

Mr Warren of Union moved a suspension of the rules to enable the Chairman of the Committee on Elections to submit a report from that committee.

Upon which motion,
a division of the House was ordered, in which 39 members voted in the affirmative and 19 members voted in the negative,
and,

the rules being suspended.
Mr Reid, submitted a report from the Committee on Elections.

Mr Hervey moved that the House now take a recess until 2:30 Oclock P.M.

Upon which motion,
a division of the House was ordered, in which 57 members voted in the affirmative, (which being a majority of the whole House)

Wednesday February 28th 1877

At 12:35 oclock P.M. the House took a recess until 2:30 oclock P.M.

After the Recess.

At 2:30 oclock P.M. (the Speaker being absent) the Assistant Clerk called the House to order and,

On motion of Mr Gibson.

Mr Eagle was called to the Chair as temporary Speaker.

By direction of the temporary speaker.

the Clerk called the roll when the following members answered to their names.

Messrs:

Allen
Andrews
Avera
Berry
Best
Blankenship
Bruley
Brock
Brown
Chaney
Cobb
Cotham
Cubage
Cunningham
Davis of Pope
Davis of Searcy
Davidson
Donohoo
Duncan
Dunagin
Eagle
Ebberson
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison of Saline
Harrison of Polk
Headlee
Hearn
Hervey
Hunter
Jacks
Jennings
Jones
Lawhon
Lee
McHenry
McLeod
McRae
Mooney.

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Morgan
Morton
Murphy
Peevey
Peoples
Poynor
Price
Ratcliffe
Reid
Rice
Sams
Sawyer
Stubbs
Tate
Thomas
Wofford
Walker
Warren, of Union
Watson
Weaver
Wilson
Williams, Hot Springs
Williamson
67.

The following members failed to answer to their names at the call of the roll, Messrs:

Barnett
Coleman, of Clark
Coleman, of Phillips
Durham
Fann
Hill
Maynard,
Martin, of Faulkner
Martin, of Dallas
Matthews
McKennon
Miller
Pearce
Priddy
Reeder
Robeson
Smith
Stanley
Stinson
Thomason
Warren, of Crawford
Wells
Whitson
Williams Mississippi
Willing
Mr Speaker.
and
26.

A quorum announced as present.

Mr Davis of Searcy moved that the House now proceed to the election of a Speaker pro tempore.

And,

On motion of Mr Davis of Pope Mr Eagle was unanimously elected Speaker pro tempore.

On motion of Mr Peevey, an indefinite leave

Wednesday February 28th 1877

of absence was granted Mr Whitson on account of sickness in his family.

On motion of Mr Davis of Pope,

Mr Williams of Mississippi was granted leave of absence for the day.

On motion of Mr Deane,

Mr Martin of Faulkner was granted leave of absence for the evening.

Mr Wells appeared within the Hall of the House and answered to his name; also Messrs Warren of Crawford, McKennon, Smith, Rolcon Mc Rae, Maynard and Thomas.

The Speaker, pro tempore announced that the House would now proceed to the consideration of the unfinished business which was the report from the Committee on Elections, submitted to the House this morning.

The report was then read, and is as follows to wit:

Mr Speaker:

The Committee of the House on elections, to whom was referred the matter of contest of A. M. Adams, Tabbe Gross, Reuben White and Henry Clay, vs. L. P. Hab. Farr, W C Ratcliffe, M. J. McHenry, and E L Maynard, claiming to be admitted to seats in the House of Representatives of the General Assembly from the County of Pulaski, respectfully report:

The contestants in this case served notices of contest in accordance with the statute. Under these notices very little testimony was taken and very little vigor exercised in the prosecution of the contest. Under the action of the House

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the Committee restricted the parties before it, to the consideration of questions arising upon the face of the notices and the testimony

These questions have been carefully considered. They are not of a novel character, except in their application here.

The reason of our conclusions, can be best arrived at by a reference to the Constitution and laws of the state.

1. Constitutional and Statutory provisions.

The Constitution of the state is markedly definite upon the questions prescribing the tribunal and the mode of procedure in contested election cases. Article XIX - Sec 2 provides; "The General Assembly shall provide by law the mode of contesting elections in cases not specifically provided for in the Constitution"

The cases specifically provided for in the Constitution are enumerated in Art. VI. Sec 4: "Contested elections for Governor, Secretary of State, Treasurer of State, Auditor of State and Attorney General shall be determined by the members of both houses of the General Assembly in joint session; xxxxxx

And Art. VI. Sec 14. Whenever the office of Governor shall have become vacant xxx the President of the Senate, or Speaker of the House of Representatives, as the case may be, exercising the powers of Governor for the time being, shall immediately cause an election to be held to fill such vacancy xxxxxxx. and if there be a contested election, it shall be decided, as may be provided by law.

These are all the provisions, and these all the cases specifically provided for.

In accordance with the direction of Art XIX. at the session of 1874-5. the General Assembly; on an act approved Jan. 23rd 1875.

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provided the mode of contesting elections, in all cases not provided for: and among others, the mode of contesting the election of any person returned duly elected to the House of Representatives.

On these provisions of the Constitution, and in this statute are embraced the law involved in the points presented to the committee. The contestants proceeded and took certain testimony which purports in its face to have been taken before two Justices of the Peace, at Little Rock.

It is manifest to us that the sitting members, relied upon showing, that this testimony was taken before but one Justice, and was therefore illegal and void. And when the case was put to examination, they appeared and showed satisfactorily to the Committee that this testimony was taken before but one Justice, or that the greater part, and that, the testimony without which, the returns of the election as declared, cannot be altered, was taken before but one Justice. This was shown by the testimony of Gen. R.C. Newton, who has appeared for the contestee Tarn, of Esq. McWhorter one of the subscribing Justices, and by the admissions of the counsel, for the contestants. It was contended by counsel for contestants, however, that the provisions of the statute of 74-75 were directory.

Where provisions are applicable to this case are as follows. Art 107. Sec 76 if any Candidate of the proper County or District contests any Election of any person returned duly Elected to the State Senate, or House of Representatives. Such person shall give notice thereof, in writing to the person whose Election he contests, or sends a written notice thereof to the house where such person last resided, within twenty days after the return of the Election to the Clerks office. Expressing the points on which the same will be contested and the names of the two justices of the

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Peace who will attend to the taking of the depositions, and when and where they will attend.

Section 77. The time of taking such depositions shall not exceed thirty days from the day of the Election, and the Justices or either of them shall issue subpoenas to all persons required by either party, commanding such persons to appear and give testimony at the time and place therein mentioned.

Section. 79. The justices shall seal and certify all testimony relative to such Election, to the President of the Senate, if the Contest is for a seat in the Senate, and if for a seat in the House of Representatives, then to the Speaker of the House of Representatives.

Plainly, unequivocally, directly it is herein Enacted that all these proceedings are required to be had before the justices of the Peace.

In the wisdom and carefulness thus Exercised by the Legislature, We cannot forbear Expressing our approbation.

II Can the objections raised by Contestants that these provisions are not mandatory, but directory only, be sustained.

The distinctions between mandatory and directory provisions, have received much and Elaborate Examination; Especially in regard to the manner of holding Elections.

It is unnecessary to advert to them here, more at length than to direct attention to the fact that nothing pertaining to the Election itself, is hereby affected.

The manner of taking the depositions concerns not the Election; but the mode of Contesting an Election; and that mode of Contesting, if is expressly provided in the Constitution; as we have already seen, shall be prescribed by the Legislature, and the Legislatures

Wednesday January 28th 1874

have accordingly laid it down, that depositions to be used in the Contest, shall be taken before two Justices of the Peace.

But leaving the general bearing upon these distinctions aside, upon the particular law before us, we have the highest authority of Construction.

It cannot be denied, that Constitutional provisions are mandatory. Cooley on Constitutional limitations page 74 and authorities there cites. In Ohio under a Constitutional provision, similar to our own, that, "The General Assembly shall determine by law, before what authority and in what manner the trial of Contested Elections shall be conducted". Act under a Statute similar to ours, which prescribed the mode in which Election Contested should be held: the Supreme Court of the State said, "This Legislation, being not merely permitted, but enjoined by the Constitution, has in effect, the same sanction as though it formed a part of that instrument. Whereas, the Statute which confers the means of acquiring a right, prescribes an adequately Special mode of determining by a judicial investigation the fact upon which the right depends, that mode must be exclusive. "See Grisell v Marlow 15 Ohio State reports 114"

Such the same principle is laid down with peculiar Emphasis by the Supreme Court of Arkansas, in the Case of Baxter v Brooks 29 Ark 173.

III This view is not affected by Art 5 See II of the Constitution which declares that "Each house shall appoint its own officers, and shall be sole judges of the qualifications, returns, and Elections of its own members"

There is no Conflict between the two Sections. The one provides a tribunal; the other provides a mode of proceedure. The Statute under the XIXth Article provides this manner in which testimony shall be taken, to be used before the tribunal created, recognized and made Supreme by Art V.

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iv. These depositions were fatally defective, again, because the certificate required by Sec. 2580. Gantts Dig - p - 501. were not appended. It was admitted also before the Committee, that they were in the handwriting of the attorney of the contestants. It is a well settled principle of law, that this completely vitiates them. Whittenden v. Woodruff 11. Ark. 82.

v. There is another fact, which appeared upon examination before the Committee, that although the depositions are all attested by two Justices and in the certificate attached to them it is stated that they were taken before two Justices; and this certificate is signed by both Justices yet there was, while most of them were being taken, but one Justice of the Peace present.

vi. It is further to be remarked, with regard to the construction of this statute, of 74. that we are to seek the intention of the Legislature "The intention of the Legislature, should control absolutely the action of the Judiciary; where that intention is clearly ascertained, the courts have no other duty to perform than to execute the legislative will, without any regard to their own views; as to the wisdom, or justice of the particular enactment xxx. In cases where the intent of the Legislature is ambiguous and the effort to arrive at it, is hopeless; and in those cases only, does the power of construing a statute strictly, or liberally exist" xxx and the same learned Author, from whom we have thus quoted, lays it down as a "Cardinal rule that the judicial functions are always best discharged by an honest and earnest desire to ascertain, and effect the intention of the law making body.

"Sedgwick on Stat, & Const. Law, 379. 380. 381.

vii. All presumptions of law, and of fact

are in favor of the officers of an election having performed their duties under their oaths.
The election returns as certified make a prima facie case in favor of those declared elected.
Of course this prima facie case must yield to the actual result. But it is the duty of contestants in attacking an election to present such a case, as will satisfy our minds of the justice of that case, and of the error or falsity of the declared result made by the regular officers. In doing this, it is incumbent that they should procure the best testimony possible. It seems to the Committee that no effort to do this, was made on the part of the contestants. By the election act of 74. It is enacted that, at the closing of the polls, the poll books, shall be signed, the names counted; then the ballot boxes opened; and ballots counted; under name, or names, of persons voted for, shall be entered, number of votes given for each person by the Clerk, after examination of ballots completed, number of votes, for each person enumerated under the inspection of the Judges; and set down at the foot of the column in the poll books, to return ballots to the Clerk, not to be used except in cases of contested election; on the fifth day, the Clerk shall call two Justices of the Peace and open and compare several election returns, and make abstracts of the votes given for the several candidates; see sections 33. 35. 39. 44. 46. Act of 74. Sec. 51. provides the Clerks of the County Courts of the several counties of this state, when they shall call in, two Justices of the Peace, to assist them in comparing the poll books of the several townships, of their respective counties; shall proceed to add and count all the votes for the several

persons therein voted for, regardless of any informality whatever; Provided, however, that should there exist any such informality, or any irregularity, in any thing, or any poll book sent up from any township, so that the Clerk, and Comparing Justices, should be unable to arrive at the result of the true intention of the voters, then they shall suspend and send for judges and Clerks, Commanding them to amend.

As far as appears from the testimony, the terms of this latter section were complied with.

In the precincts which were sought to be attacked, it does not seem from the testimony, that the Clerks and Judges failed to keep and deposit poll books, and ballots. Yet neither the poll books, nor ballots were introduced in testimony before the justices; nor any reason given for not so doing.

These are retained especially for use, in contested Elections.

These are made by the Statute, the best evidence in Contested Elections.

This testimony should have been used as a reason given for not producing it.

The best testimony must always be used, and this testimony, as far as the Committee can judge, was not even applied for.

There is nothing in the record to show it.

"The Statute provides (Gantts dig 2498) that the process may, when the Court or judge thereof, so directs, require the witness to bring with him any book, writing or other thing under his control, which he is bound by law to produce in Evidence."

And where secondary Evidence is used it must be in accordance with law.

Secondary evidence means,

1 Examined Copies, exemplifications, Office Copies, and certified Copies.

2° Other Copies made from the original and proved to be correct.

3 Counterparts of documents, as against the parties who did not Execute them.

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4. Oral accounts of the contents of a document given by some person who has himself seen it.

The contents of a document must be proved by primary evidence, except in the cases hereinafter mentioned. Secondary evidence may be given of the contents of a document.

When the original is shown in the possession or power of an adverse party; possession or power of stranger who refuses to produce it, or lost, or destroyed.

× Stephen on Evidence 80-81.

Here there appears to have been no effort to show the inability to produce ballots and poll books.

Instead of this, secondary testimony, and that, of the not the most satisfactory character, taken in an ex parte manner, was furnished the committee. In Big Rock, and Babyett Precincts not one of the witnesses examined could state of his own knowledge the precise result of the election.

For all these reasons, it is impossible for the committee to arrive at the conclusion that the rights of the sitting members to their seats has been successfully assailed. Armed with the correct and regular credentials of authorized officers as they are, there appears to be no such case as would warrant us in reporting against the rights of the sitting members.

Three of the contestants have applied for leave to withdraw from this contest - viz: Tabbs Gross, Reuben White and Henry Clay, leaving Mr A.M. Adams the only contestant applying here for a seat.

The Committee beg leave to report the following resolutions:

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Resolved; That Z.B.H. Tarn, W.C. Ratcliffe M.J. McStenny; and E.L. Maynard are entitled to seats in this House as Representatives from Pulaski County.

Resolved; That A.M. Adams, Tabbs Gross, Reuben White, and Henry Clay, are not entitled to seats in this House as Representatives from Pulaski County.

W.H.C. Reid Chairman
E.D. Gray
R.W. Peevey
H.S. Morgan
R.L. Duncan
G.W. Andrews
J.F. Wilson.

Mr Warren of Crawford submitted the following report from the minority of the Committee on Elections:

In the matter of Pulaski County Election cases, for seats in the House.

To the Speaker of the H. of R.

The undersigned, members of the Committee of Privileges and Elections submit the following report on the contests for seat in this House from Pulaski County.

We find that M.J. McStenny one of the sitting members named in notice of contest, has never been served with notice.

We further report that Tabbs Gross Henry Clay, and Reuben White have personally and by consent withdrawn from the contest.

We thus find the contest narrowed down to A.M. Adams, as Contestant, and E.L. Maynard, Wm. C. Ratcliffe and Z.B.H. Tarn, as contestees.

From certified returns on file with and shown the committee, we find that

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E L Maynard was returned as receiving 2704 votes
Wm O. Ratcliffe " " " " 2696 "
Z P H Tarn " " " " 2618 "
A M Adams " " " " 2370 "

Contestant Adams gave notice of contest in due time and form, stating that he would take testimony before Henry Jacobi and David McWhorter, two Justices of the Peace.

There was presented to the Committee the depositions of sundry witnesses on the part of contestant purporting to have been taken by said Jacobi and McWhorter.

Contestee Tarn (and who is substantially the only contestee) filed a motion to suppress contestants depositions, which motion is in the words and figures following, viz:

"Before the Committee upon Contested Elections of the House of Representatives of the state of Arkansas:

In the matter of A M Adams, contestant against Z P H Tarn, contestee, for a seat in the House of Representatives.

The contestee objects to the testimony offered on part of contestant of J R Berry, Milo Arbuckle, Talbot Field, Knowles Ryles, Manger and Warwick, because 1st, the same are not legal evidence, 2nd said depositions were not taken according to law, 3rd said depositions are not competent testimony, 4th said depositions are irregular and insufficient.

Wherefore said contestee, moves said depositions may be suppressed, and said contest dismissed on part of A M Adams.

T. W. Brompton, & Gallagher & Newton
Attys for Z P H Tarn.

Some testimony was taken before the Committee on the manner of taking these

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depositions, from which we find that on one occasion the witnesses were sworn in the office of Justice Jacobi, in presence of both Justices, but that owing to said Jacobi being engaged in a criminal trial, the witness and counsel for each side, went to another office, and the depositions of four witnesses were reduced to writing and signed in the presence of McWhorter alone. The testimony also showed that the depositions were reduced to writing by counsel for contestant.

It was urged in the argument of counsel for contestee, (Dunn) that these depositions should be suppressed 1st because they were taken before one Justice; and 2nd because the were reduced to writing by counsel for contestee.

The undersigned are of the opinion that said depositions should not be suppressed for the following reasons:

First, if the laws of this state do require the depositions to be taken before two Justices and prohibit counsel from writing them, they are equally as explicit as to the manner objections shall be made to them. Section 2585, of Gantts Digest, provides that "Exceptions to depositions shall be in writing, specifying the grounds of objection filed with the papers of the cause, and noted on the record".

Section 2586, provides that, "No exceptions other than the competency of the witness or to the relevancy or competency of the testimony shall be regarded, unless filed and noted on the record before the commencement of the trial."

The motion filed by contestant, specified no grounds, but the specifications were made in argument only, and for this reason we find the depositions should

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not be suppressed.

Second. We are of opinion that the election law is merely directory, and not mandatory. There are no words directing or requiring two Justices to act together, nor are there any negative words in the statute prohibiting them to be taken in any other manner. We are further of the opinion that in this respect there was a substantial compliance with the law, even if two Justices are required to act together, for both seem to have been giving them attention to the matter, and were near enough together to have been procured had any question arisen, requiring them to pass judgement upon, which occasion did not occur.

It is not urged or claimed that there was any fraud or collusion between either counsel, the witness, or the Justices.

Neither is it urged or claimed in behalf of contestee (Farr) that these depositions speak anything but the truth.

We find from the testimony in this case that in making up the returns for Pulaski County, the Canvassing Board composed of the Clerk and two Justices threw out and disregarded the returns and election held in two precincts, viz: Big Rock and Badgett.

We find that on the 4th of Sept '76. there was held in each of said precincts a free and fair election; that in Big Rock precinct the Judges and Clerk made no formal return of the result, but returned the same on a tally sheet.

We further find from the testimony that at this precinct A M Adams the contestant received One hundred & Eighty six (186) votes for the office of Representative, and R O H Farr contestee

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One hundred and forty seven (147) votes for said office. and that these figures should be added to the respective total of each. Maynard and Ratcliffe receiving in this a vote similar to Farr.

We find from the testimony that the judges and Clerks of Election in Badgett precinct made return of the result of said Election, but failed to specify the office the votes were cast for, and also to sign the return;

We find from the testimony, that in this precinct, A M Adams, the Contestant, received two hundred and six (266) votes, and Z D Farr, the Contestee, received thirty Eight (38) votes, Each for the said office of Representative, and that there should be added to the respective totals of Each, Maynard and Ratcliffe also receiving 38 votes Each in this precinct.

Adding the figures to the vote of Each the result is as follows.

Vote returned by Canvassing Board for Adams	2,370
Add Big Rock Township	186
" Badgett precinct	266
Total for Adams	2822
Vote returned by Canvassing Board for Farr	2618
Add Big Rock Township	147
" Badgett precinct	38
Total for Farr	2803

Majority for Adams over Farr 17

We therefore move that it is the sense of the House,

First. That E L Maynard, Wm C Ratcliffe and M J McHenry are Entitled to retain their Seats, and the Contest against them dismissed

Second. That A M Adams, Contestant, is Entitled to a Seat as a member of this body

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in place of the contestee, Z P H Farr.

Respectfully Submitted

(Signed) Warren of Crawford
Lee of Newton
Donahoo of Phillips

Mr Warren of Marion moved that the reports of the Majority and the Minority of the Committee on Elections be laid upon the table subject to Call.

Upon which motion a division of the House was ordered, in which 40 Members voted in the affirmative, and 12 Members voted in the negative.

So the motion was adopted and the reports were laid on the table subject to Call.

The Speaker pro tempore then announced that the next business in order was the Consideration of House Bill No 89 in Committee of the whole.

Mr Cotham moved to postpone the Special order 15 minutes to Enable him to Call up House Bill No.

Which was not agreed to

Mr Davidson then moved that the further Consideration of House Bill No 89 (the Special order) be indefinitely postponed.

Upon Which motion a division of the House was ordered, in which 14 Members voted in the affirmative and 38 Members voted in the negative.

So the House rejected the motion to indefinitely postpone House Bill No 89.

Mr Davidson then moved to postpone the Special order five minutes

Which was not agreed to

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On motion of Mr Reid.

the House then resolved itself into Committee of the whole, in consideration of House Bill No 89.

Mr Fishback in the Chair.

After some time spent in consideration of the bill,

The Committee rose, and through its Chairman reported the same back with the recommendation that the bill do not pass.

The Speaker resumed the Chair.

Mr Barnett appeared within the Hall of the House and answered to his name.

Mr Watson then moved the rejection of the report of the Committee of the whole which recommends the rejection of House Bill No 89.

And,

Upon that motion called for the ayes and nays, and the call was sustained.

The Clerk called the roll and the following members voted in the affirmative, Messrs:

Andrews	Gray
Barnett	Harrison, of Mell
Berry	Henry
Blankenship	Hunter
Braley	Jacks
Brown	Jennings
Chaney	Jones
Cartmill	Maynard
Davis, of Searcy	McLeod
Duncan	Miller
Dunagin	Mooney
Fishback	Morgan
Fisher	Poynter

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Rector
Reid
Stubbs
Tate
Thomas
Thomason
Walker

Warren, of Union
Watson
Weaver
Wells
Wilson
Williamson
and Mr Speaker. 40.

The following members voted in the negative,
Messrs:

Allen
Avera
Brock
Brown
Cobb
Enbage
Davis, of Pope
Davidson
Durham
Eagle
Ellerson
Floyd
Gardner
Gibson
Harrison, of Saline
Headlee
Hervey

Lawhon
Matthews
McHenry
McKenzie
McRae
Morton
Murphy
Pearce
Peevey
Price
Ratcliffe
Sams
Sawyer
Smith
Wofford
Williams, Hot Springs
and Willing 33.

Before the vote was announced, Messrs Barnett, Gray, Miller and Jacks changed their votes from aye to nay.
and,

Messrs Brown and Headlee changed their votes from aye to nay.

In the affirmative 40.
In the negative 33.
Absent and not voting 20
93.

So the report of the Committee of the Whole

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House which recommended the rejection of House Bill No 89.

Was rejected.

Mr Watson then moved the adoption of the amendments of the Committee of the whole to House Bill No 89.

At 4:50 Oclock P.M.

On motion of Mr Beadles

The House adjourned.

Simon H. Newton
Clerk.

D. L. Tillgore
Speaker.

Journal of the House of Representatives
Thursday Morning March 1st 1877.

The House met pursuant to adjournment at 9 Oclock

The Clerk called the roll and the following members answered to their names, Messrs:

Allen
Andrews
Avera
Barnett
Berry
Blankenship
Braley
Brock
Brown
Cobb
Coleman, of Clark
Cotham
Cubage
Davis, of Pope
Davis, of Searcy
Donohoo
Duncan
Dunnagin
Eagle
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Sebastian
Harrison, of Mell
Headlee
Hearn
Hunter
Jacks
Jennings
Jones
Lanham
Lee
Maynard
Martin, of Faulkner
Matthews
McHenry
McKennon
McLeod
McRae
Milam
Mooney
Morgan
Morton
Murphy
Pearce
Peeney
Peoples
Poynter
Ratcliffe
Reid
Robeson
Sain
Sawyer
Smith
Stubbs
Tate
Thomas
Woffard
Warren, of Crawford
Warren, of Union

Thursday March 14th 1877

Watson — Williams, Hot Springs
Weaver — Williams, Mississippi
Wells — Williamson
Wilson — and — Mr Speaker. 92

The following members failed to answer to their names at the call of the roll, Messrs:

Best — Price
Mahaney — Priddy
Coleman, of Phillips — Rector
Cunningham — Rice
Davidson — Stanley
Dinham — Stinson
Ebberson — Thomason
Farr — Walker
Harvey — Whitson
Hill — and
Martin, of Dallas — Willing. 21.

A quorum announced as present.

Prayer by the Chaplain.

The Journal of yesterday was then read by the Clerk, and there being no objection thereto, was approved and signed by the Speaker and the Clerk.

On motion of Mr Tate,
Mr Cunningham was granted an indefinite leave of absence.

On motion of Mr Donohoo,
Mr Coleman of Phillips was granted an indefinite leave of absence.

On motion of Mr Warren of Crawford,
Mr Best was granted leave of absence for today and tomorrow.

Thursday March 9th 1877

Messrs Ebberson, Price, Davidson, and Chaney appeared within the Hall of the House and answered to their names.

By unanimous consent the rules were suspended and,

Mr Avera introduced the following Resolution:

Resolved, That the Clerk of the House be, and is hereby authorized to issue pay certificates to the members of the House up to and including the 8th day of March 1877.

Which Resolution was unanimously adopted.

Mr Smith moved a suspension of the rules so as to take up Senate Bill No.

Upon which motion,

A division of the House was ordered, in which 32 members voted in the affirmative, and 37 members voted in the negative.

So the motion was not adopted.

By unanimous consent.

Mr Reid, Chairman of the Committee on Elections, submitted the following report:

Mr Speaker:

The Committee on Elections to whom was referred House Resolution in regard to the eligibility of the seated member from Walnut County, beg leave to report:—

That they have had the same under consideration, and after due examination, have decided to report the same back to the House with the recommendation that the said seated member be declared ineligible to a seat in this House, from the fact that the said member has since his election as Representative, held, for-

formed and discharged up to the 12th Feb. 1877. the duties of Deputy Sheriff of Cheat County, in plain violation of Art. 5. Sec 8. of the Constitution of the state, which provides as follows: "That no person who now is, or shall be hereafter a Collector or holder of public money, nor any assistant or Deputy of such holder or Collector of public money, shall be eligible to a seat in either House of the General Assembly, nor to any office of trust or profit until he shall have accounted for and paid over all sums for which he may have been liable."

The report was received.

Mr Reid moved that the report be adopted.

Mr Donahoe moved as a substitute for the last motion, that the report be laid on the table subject to call.
upon which motion,
A division of the House was ordered when 28 members voted in the affirmative and 33 members voted in the negative

So the House rejected the motion to lay the report on the table subject to call.

Messrs Thomason, Reeder, Hervey, Walker and Stinson appeared within the Hall of the House and answered to their names.

of the Com on Elections

Mr Davis of Pope moved the previous question on the adoption of the report
The question then being,
Shall the main question be now put?

The same was put,
And the main question was ordered.

The question then being on the adoption of the report of the Committee on Elections,

Mr Davis of Pope called for the ayes and nays and the call was sustained.

The Clerk called the roll and the following members voted in the affirmative, Messrs:

Allen
Andrews
Arena
Blankenship
Braley
Brooks
Chaney
Cothran
Eubanks
Davis, of Pope
Davis, of Searcy
Davidson
Duncan
Dunagin
Eagle
Fishback
Fisher
Floyd
Foster
Gardner
Gray
Harrison, of Mell
Headlee
Hearn
Hervey
Hunter
Jennings
Jones
Lawhon
Maynard
Matthews
McHenry
McLeod
McRae
Mooney
Morgan
Morton
Pearce
Peevey
Ratcliffe
Reid
Sams
Smith
Stinson
Tate
Thomas
Thompson
Walker
Watson
Weaver
Wells
Williams, Mississippi

and Mr Speaker. 53.

The following members voted in the negative, Messrs:

Barnett
Berry
Brown
Cobb

Dawkins
Durham
Ebberson
Farr
Gibson
Harrison, of Saline
Jacks
Lee
Martin, of Faulkner
McKennon
Miller
Murphy
Peoples
Rayner
Price
Rice
Robeson
Sawyer
Stubbs
Woffard
Warren, of Crawford
Warren, of Union
Wilson
Williams, Hot Springs
and
Williamson 29.

Mr Acton was excused from voting.

Before the vote was announced Messrs Berry and Lee changed their vote from aye to nay.

In the affirmative	53.
In the negative	29
Excused from voting	1
absent and not voting	10
	93.

So the report of the Committee on Elections was adopted.

Mr Reid then moved the adoption of the Resolution introduced by Mr Cotham on the 17th of February last.

The question then being,
On the adoption of the Resolution,

Mr Warren of Crawford called for the ayes and nays, and the call was sustained.

The Clerk called the roll, when the following members voted in the affirmative, Messrs:

Allen
Anderson
Avera
Blankenship
Braley
Brady
Chaney
Cotham
Eubanks
Davis of Pope
Davis of Searcy
Davidson
Duncan
Dunaway
Eagle
Fisher
Foster
Floyd
Gardner
Gray
Harrison of Nell
Headlee
Hearn
Hervey
Hunter
Jennings
Jones
Lanham
Maynard
Matthews
McHenry
McLeod
McRae
Mooney
Morgan
Morton
Pearce
Peevey
Poynter
Ratcliffe
Reid
Sams
Smith
Stinson
Tate
Thomason
Walker
Watson
Weaver
Wells
Williams, Mississippi
and Mr. Speaker — 55.

The following members voted in the negative,

Messrs:

Barnett
Berry
Brown
Bobb
Donahoo
Durham
Ebberson
Fishback
Gibson
Harrison of Saline
Jacks
Lee
Martin, of Faulkner
McKennon
Miller
Murphy
Peoples
Price
Rice
Robinson
Sawyer
Stubbs

Thomas Wilson
Woffford Williams, Hot Springs
Warren, of Crawford and
Warren, of Union Williamson 29.

Mr Acetor was excused from voting.

Before the vote was announced Messrs Gibson and Fishback changed their votes from aye to nay.

In the affirmative	55
In the negative	29
Excused from voting	1
Absent and not voting	8
	93.

So the Resolution was adopted and it was "Resolved, by the House of Representatives that the office of Representative from Chicot County be declared vacant, and the Governor is hereby authorized to order an election to fill said vacancy."

By unanimous consent,
the rules were suspended, and
Mr Williams of Hot Springs introduced
H. B. a bill entitled "A Bill for an act to amend
No 200. section four thousand, nine hundred and ninety eight (4998) Chapter (112) of Gantte Digest."

Which was read the first time.

On motion of Mr Williams of Hot Springs
the rules were further suspended,
and the bill was read the second time
and made the special order for 9:30 Oclock
A.M. on tomorrow.

Mr Thomason moved that the rules be

suspended to enable him to introduce a bill;

There being objections thereto, a division of the House was ordered in which 43 members voted in the affirmative and 8 members voted in the negative.

And the rules being suspended,

H.B. No 201. Mr Thomason introduced a bill entitled "An act to encourage immigration;"

Which was read the first time.

On motion of Mr Thomason,
the rules were further suspended, and the bill was read the second time and referred to the Committee on Roads and Highways.

Mr Rice moved a suspension of the rules
C.S. 12 to enable him to call up Senate Bill No 12.

There being objections thereto a division of the House was ordered in which 45 Members voted in the affirmative and 5 members voted in the negative.

SB No 12 And the rules being suspended Senate Bill No 12 was taken up and the amendment reported by the Committee on the Judiciary was read the first time and adopted.

Mr Fishback moved the indefinite postponement of the bill

Buh withdrew the same

SB No 12 On motion of Mr Rice Senate Bill No 12 Entitled "An act to authorize the several Counties in this State to fund their outstanding indebtedness Evidenced by Bonds of said Counties heretofore issued;" Was read the third time and

placed on its final passage.

The question then being shall the Bill pass?

The ayes and Nays were ordered when the following members voted in the affirmative. Messrs

Barnett
Blankenship
Cobb
Cathan
Cubage
Davidson
Ebberson
Fishback
Fisher
Floyd
Gardner
Gibson
Gray
Harrison of Gell
Heam
Jennings
Lawhon
Lee
Maynard
Martin of Faulkner
McKennon
McRae
Mooney
Morgan
Morlon
Murphy
Peoples
Price
Ratcliffe
Reelor
Reid
Rice
Roleson
Sawyer
Smith
Stinson
Stubbs
Tate
Wofford
Warren of Crawford
Warren of Union
Watson
Weaver
Wells
Williamson
and Mr Speaker 4

The following members voted in the Negative
Messrs. Allen
Avera
Berry
Chaney
Coleman of Clark
Davis of Pope
Davis of Searcy
Duncan
Dunagin
Braley
Eagle
Foster
Harrison of Saline
Headley
Hewett
Hunter
Jacks
Jones

Matthews		Sams	
McHenry		Thomas	
McLeod		Thomason	
Miller		Walker	
Pearce		Wilson	
Perry		Williams of Hot Springs	
Poynter	and	Williams of Mississippi	32

Mr Donohoo was excused from voting 1

In the affirmative	46
In the negative	32
Excused from voting	1
Absent and not Voting	13
	92

So the Bill passed

The question then being
Shall the title remain as in the bill?

The same was put and the original title was adopted

A message from the Senate by Col Trulock who appeared within the Hall of the House and read as follows:

Senate Chamber
March 1st 1877.

Mr Speaker:

I am instructed by the Senate to inform your honorable body of the passage by the Senate of Sen. B. No 128. "a Bill to be entitled an act dividing two Judicial Districts in the County of Conway."

And return House Bill #52. "an act to provide for improving the streets and alleys and public grounds of cities of the 2nd class in this state." with the following amendments:— in line 12, Sec 8. strike out the word "two" and insert "one" in line

13. Sec. 8. strike out the letters "U S" and insert "United States"
Also. S.B. No 32. "A Bill for an act for the relief of J.T. Griffin + Sons."
Also. S.B. # 48. "an act for paying balance due for erecting the Arkansas Industrial University building."
Also. S.B. No 128. "a Bill for an act entitled an act to fill the vacancy now existing in the Board of rail road Commissioners of this state."
and herewith respectfully transmit the same.

Mr Rolleson moved a suspension of the rules to enable him to introduce a bill.
Which was not agreed to.

5/2/1912 Mr McLeod gave notice that he would move a reconsideration of the vote by which Senate Bill No 125. was passed.

In the regular order of business,
S.B. No 35. Senate Bill No 35. entitled "an act authorizing the Treasurer to issue certificates of indebtedness in certain cases, and for other purposes."

Was taken up, and,
On motion of Mr Gibson,
the bill was read the third time and placed on its final passage,
By unanimous consent,
the vote by which Senate Bill No 35, was read the third time and placed on its final passage,
was reconsidered,
And,
On motion of Mr Avera, The bill was recommitted to the Committee on State Lands.

Mr McLeod withdrew his notice of motion

to reconsider the vote by which Senate Bill No 12 had passed

On motion of Mr Fishback,
Mr Eskridge was granted leave of absence for the day.

By maninous consent,
the rules were suspended, and Mr Reeves Chairman of the Committee on Printing submitted the following report:

Mr Speaker,

Your Committee on Printing to whom was referred Senate Bill No 70. beg leave to report the same back to the House with the recommendation that it pass.

The report was received,
And,

On motion of Mr Davis of Pope,
S.B. No 70. Senate Bill No 70. "entitled "A Bill to be entitled an act amendatory of existing laws in regard to the publication of legal notices"

Was read the third time and placed on its final passage.

Mr Avera then moved a reconsideration of the vote by which Senate Bill No 70. was read the third time and placed on its passage.

Upon which motion, a division of the House was ordered, when 44 members voted in the affirmative and 12 members voted in the negative,
And,

the vote being reconsidered,

Mr Avera offered the following amendment to the bill;

Amend in 6th line from end of bill by striking out "50 cents" and inserting "25 cents"

in lieu thereof.

Mr Watson then moved to amend the amendment as follows:

"And insert "two insertions" in lieu of "one insertion"

Which amendment to the amendment was adopted.

The question then being:

On the adoption of the amendment of Mr Mera,

The same was put, and the amendment as amended, was adopted.

Mr Warren of Union, then offered the following amendment to the bill.

"The proceedings to be published in the county paper having the greatest circulation in the county."

Which amendment was rejected.

Mr Davis of Pope, then moved that the bill be made the special order for 10 o'clock A.M. on tomorrow.

But withdrew the same.

Mr Watson renewed the motion of Mr Davis of Pope,

which was not agreed to.

Mr McRae then moved that the bill be read the third time and placed on its final passage,

which was not agreed to:

Mr Harrison of Mell then offered the following amendment to the bill:

"Strike out "five lines" and insert "ten lines" in lieu thereof, in the 9th line from the end of the bill:

Mr Thomas then offered the following amendment to the amendment of Mr Harrison of Mell:

"Instead of "ten lines" insert "one inch"

which amendment to the amendment was lost.

The question then being:

On the adoption of the amendment of Mr Harrison of Mell,

The same was put:

and the amendment was adopted.

A message from the Senate by Col Frolich who appeared within the Hall of the House and read as follows:

Senate Chamber.
March 1st, 1877.

Mr Speaker:

I am instructed by the Senate to inform your honorable body of the passage by the Senate of Senate Bill # 117.
"A Bill to prevent the sale of alcoholic Liquors in the town of Eldorado, in the County of Union."
Also Senate Bill No 113. "An act to authorize the County Court or Judge thereof in vacation to direct the employment of a Guard for jails in certain cases and to repeal section 3576 of Gantts Digest."

and herewith respectfully transmit the same.

Mr McRae moved that Senate Bill No 70. be read the third time and placed on its final passage.

Which motion was rejected.

Mr Watson then offered the following amendment to the bill:

"Add to Sec 1. "And Provided, further, sheriffs shall not be required to advertise personal property for sale, in a paper, or when the value of the property is of less value than five hundred dollars.

Mr Roleson moved to amend the amendment by striking out "five hundred dollars" and inserting "two hundred dollars" in lieu thereof.

Which amendment to the amendment was rejected.

The question then recurring on the adoption of the amendment of Mr Watson.

The same was put.

And a division of the House being ordered 49 members voted in the affirmative and 8 members voted in the negative.

So the amendment was adopted.

Mr Allen then offered the following amendment to the bill;

"Add to section 2. "Provided That each tract shall include the largest number of acres in any one section - Range + township, assessed to any one person."

Mr Roleson then offerd the following amendment to the amendment,

"Where the same is susceptible of

being included in one description."

Which amendment was accepted by Mr Allen.

The question then recurring on the adoption of the amendment of Mr Allen.

The same was put, and the amendment was rejected.

Mr Thomas then moved that the further consideration of Senate Bill No 70, be indefinitely postponed.

Upon which motion, a division of the House was ordered in which 36 members voted in the affirmative and 30 members voted in the negative.

So the motion was adopted.

And the further consideration of Senate Bill No 70, was indefinitely postponed.

In accordance with notice given on yesterday, Mr Eagle moved a reconsideration of the vote by which Senate Bill No 2 was passed

Mr Avera moved to lay the motion to reconsider the vote on the table.

Upon which motion Mr Warren of Crawford called for the ayes and nays and the call was sustained.

Upon the call of the roll the following members voted in the affirmative. Messrs.

Allen	Cotham
Andrews	Davis of Pope
Avera	Duncan
Barnett	Durham
Blankenship	Farr
Braley	Fishback
Brock	Floyd

Gibson
Harrison of Saline
Harrison of Yell
Hervey
Jacks
Jones
Lee
Maynard
Matthews
McHenry
McLeod
McRae
Morgan
Morlow
Murphy
Peevy
Poynter

Price
Ratcliffe
Reid
Rice
Sawyer
Smith
Stinson
Tate
Trafford
Walker
Warren of Crawford
Warren of Union
Wells
Wilson
Williams of Mississippi
Williamson
Mr Speaker

and 48

The following members voted in the negative, Messrs:

Berry
Chaney
Cobb
Davis of Searcy
Davidson
Donahoe
Dunnagin
Eagle
Ficklen
Foster
Gardner
Gray
Hendlee
Hearn
Hunter

Jennings
Lawhon
Martin of Faulkner
McClennon
Miller
Mooney
Peoples
Reeder
Robison
Stubbs
Thomas
Thomason
Watson
Weaver
Williams Hot Springs

and 30.

Before the vote was announced Mr Robison changed his vote from aye to nay.

In the affirmative 48
In the negative 30
Absent and not voting 14
93

So the motion to reconsider the vote by which Senate Bill No 2 was passed.
Was laid on the table.

The Speaker announced that the regular order of business was the consideration of bills the passage of which was recommended by the select Committee.

Mr Watson moved a suspension of the regular order of business to make House Bill No 89. the special order for 2:30 oclock P.M. this day.
upon which motion
A division of the House was ordered, when 39 members voted in the affirmative, and 21 members voted in the negative.
So the motion was rejected, (not two thirds voting therefor)

In the order of business.
S.B. No 80. Senate Bill No 80. entitled "a Bill for an act to be entitled an act to provide for the publication of a statement of the Receipts and Expenditures of the public money."
Was taken up and read the first time.

On motion the rules were suspended,
And the bill was read the second time.
And.
On motion of Mr Tisdale was made the special order for 9:30 oclock a.m. on Saturday next.

S.B. No 57. Senate Bill No 57 entitled "An act regulating Mortgages on Personal Property"
Was taken up and read the first time.

On motion of Mr Dorsey,
the rules were suspended, and
the bill was read the second time, and

On motion of Mr Dunagin,
was referred to the Judiciary Committee.

S. B. No 36. Senate Bill No 36, entitled "A Bill to be entitled an act to amend the Revenue Laws of the state."

Was taken up and the bill was read for information, and,

On motion of Mr Gibson,
the bill was read the third time and placed on its final passage.

The question then being,
Shall the bill pass?

The ayes and nays were ordered and the following members voted in the affirmative, viz:

Allen
Andrews
Barnett
Berry
Blankenship
Brown
Chaney
Cobb
Davis, of Pope
Davidson
Donahoo
Duncan
Dunagin
Dunham
Eagle
Fishback
Foster
Gibson
Gray
Harrison, of Saline
Harrison, of Yell
Horsey
Horton
Jacks
Jennings
Jones
Lawhon
Leo
Martin, of Sandstone
Matthews
McKennon
McLeod
McRae
Milor

Mooney
Morgan
Morton
Murphy
Pearce
Penney
Peoples
Poynter
Price
Rector
Reid
Rice
Rolleson
Sams
Sawyer
Smith

Stinson
Stubbs
Tate
Thomas
Thomason
Walpole
Warren, of Crawford
Warren, of Union
Watson
Weaver
Wells
Wilson
Williams, Hot Spring
Williams, Mississippi
Williamson

and Mr Speaker. 66.

The following members voted in the negative, Messrs. Cathan, Fisher, Headlee, Hearn and Ratcliffe. 5.

In the affirmative 66.
In the negative 5
Absent and not voting 31
92.

So the bill passed.

The question then being:
Shall the title remain as in the bill?
The same was put.
And the originals title was adopted.

Mr Miller moved a suspension of the order of business to enable him to introduced a bill.
Which motion was not agreed to (only ten members voting therefor.)

S.B. No 52. Senate Bill No 52. entitled "An act to continue the Pulaski Chancery Court."

was taken up and read the first time.

On Motion of Mr Ratcliffe the rules were Suspended and the bill was read the Second time and.

On motion of Mr Roleson the Bill was referred to the Judiciary Committee.

House Bill No 70 Entitled "A Bill to be entitled an act to amend Sections one hundred and thirty five (135) one Hundred and thirty Six (136) and one hundred and thirty Eight (138) of Millers Digest of the Revenue Laws of the State of Arkansas." was then taken up in the order of business, and

Sub for H B No 70

The Substitute reported by the Judiciary for the Same. was read the first time.

On motion of Mr McRae the rules were Suspended and the Substitute Bill was read the Second time.

Mr Roleson then moved that the Bill be referred to the Committee on Ways and means and that it be made the Special order for 10 Oclock A. M. on Wednesday the 7th March 1877.

Mr Stubbs moved to amend the last motion by making the bill the Special order for 10 - Oclock A M on to morrow.

On motion of Mr Watson the Substitute of the Judiciary Committee. for House Bill No 70 was then adopted in lieu of the original bill.

Mr Stubbs renewed his motion to make the Substitute for House Bill No 70. the Special order for 10 Oclock A M on to morrow

Mr Watson moved as a Substitute therefor

that the bill be read the third time and placed on its final passage

Which motion was ruled out of order

The motion of Mr Stubbs was then adopted and the Substitute for House Bill No 70 was made the Special order for 10 o clock AM on tomorrow.

Mr Harrison of Yell moved to suspend the order of business and to take up Senate Bill for re-districting the State for Judicial purposes.

But withdrew the same.

In the order of business House Bill No 180 Entitled "A bill entitled an act to be entitled an act to donate all the lands forfeited to the State for non payment of taxes, and all the Swamp and overflowed lands lying in the Counties Clark Dallas, Ouachita Union Columbia and Calhoun for the purpose of aiding in the Construction of the Ouachita Valley Railroad, and Ouachita Valley Extension Railroad through said Counties." Was taken up and the amendment reported by the Committee, as follows, to wit: "Strike out Calhoun and Columbia Counties"

Was read the first time and adopted

Mr Roleson then moved that House Bill #180 be read the third time and placed on its final passage.

Upon which motion a division of the House was ordered in which 43 members voted in the affirmative and 12 members voted in the negative.

So the motion was adopted and House Bill No 180 was read the third time and placed on its final passage.

At 12 30 o Clock P M on motion of Mr Davis

of Pope.

The House took a recess until 2 30 O C — lock P M

After the Recess

The Speaker Called the House to order at 2 30 O'Clock P. M.

The Clerk Called the roll and the following members answered to their names. Messrs.

Allen
Andrews
Barnett
Berry
Blanchenship
Braly
Broen
Brown
Chaney
Cobb
Cotham
Davis of Pope
Davis of Searcy
Dunnahoo
Duncan
Ebbeson
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison of Sulvie
Harrison of Yell
Headley
Hearn
Henry
Hunter
Jacks
Jennings
Jones
Lawhon
Maynard
Martin of Faulkner
Matthews
McHenry
McKennon
McLeod
McRae
Milar
Mooney
Morton
Murphy
Pearce
Peevey
Peoples
Payner
Price
Ratcliffe
Rector
Reid
Sams
Sawyer
Smith
Stinson
Stubbs
Tate

Thomas
Wofford
Walker
Warren, of Union
Weaver
Wells
Wilson
Williams, Hot Springs
Williams, Mississippi
Williamson
and
Mr Speaker 69.

The following members failed to answer to their names at the call of the roll, Messrs:

Avera
Best
Coleman of Clark
Coleman of Phillips
Embage
Cunningham
Davidson
Dunagin
Durham
Eagle
Farr
Hill
Lee
Martin, of Dallas
Morgan
Priddy
Rice
Robeson
Stanley
Thomason
Warren of Crawford
Watson
and
Whitson 23.

A quorum announced as present.

On motion of Mr McLeod,
Mr Dunagin was granted leave of absence for the day.

Mr Davis of Pope moved a suspension of the rules to enable him to move a reconsideration of the vote by which Senate Bill No 70. was indefinitely postponed, upon which motion,

A division of the House was ordered in which 35 members voted in the affirmative and 19 members voted in the negative. So

So the motion was rejected, (not two thirds voting therefor)

Mr Davis of Pope then gave notice that he would make a reconsideration of the vote by which Senate Bill No 70. was indefinitely postponed.

By unanimous consent,
the rules were suspended and
Mr McClennon for the Judiciary Committee submitted the following report.

Mr Speaker:

Your Judiciary Committee to whom was referred House Bill No 187. to define the line between the counties of Pope and Johnson herewith report a substitute therefor; and recommend its passage.

Sub for HB 187.

The report was received, and,
The substitute for House Bills No 187,
Was read the first time.

On motion of Mr McClennon,
the rules were suspended, and the Sub. bill was read the second time.

Mr Davis of Pope then offered the following amendment to the Sub. bill:

Mr Speaker,

I move to amend section three so as to read as follows:

"That all suits and criminals proceedings pending in the Circuit Court of said County of Pope where the parties defendants or defendant, resides in that portion of said Pope County by this act stricken off of said County of Pope, shall be transferred to the County of Johnson, and the Clerk of said Pope County shall immediately after the passage of this act, make out a true and perfect Transcript of all suits and criminal proceedings of every kind and deliver the same to the Clerk of the Circuit

Court of Johnson County, and when said suits and criminal proceedings shall be thus transferred, the District Court of said Johnson County shall have the same power and jurisdiction to try and determine the same as if said suits and criminal proceedings had been commenced in said county of Johnson."

Messrs Morgan, Davidson, Rulecon, and Warren of Crawford appeared in the Hall of the House and answered to their names.

Mr McKennon then moved the rejection of the amendment of Mr Davis of Pope to Senate Sub for Bill No 187.

The question then being,
On the rejection of the amendment,
and,
After debate thereon,

Mr Davis of Pope, moved the previous question

The question then being,
Shall the main question be now put?

The same was put,
And the main question was ordered,

The question then being,
On the rejection of the amendment,

The ayes and nays were called and the call was sustained,

The Clerk called the roll and the following members voted in the affirmative
Messrs:

Berry	Foster
Floyd	Gibson

Gray
Lawhon
Maynard
Martin, of Faulkner
McClennon
McRae
Mooney
Morton
Murphy
Reeves
Rayner
Reeton
Rulison
Sams
Smith
Tate
Thomas
Wofford
Warren, of Crawford
Watson
and
Wells 25.

The following members voted in the negative
Messrs.

Allen
Andrews
Barnett
Blankenship
Brook
Chaney
Cobb
Coleman, of Clark
Cotham
Davis, of Pope
Duncan
Fishback
Harrison, of Saline
Harrison, of Yell
Headley
Hearn
Harvey
Hunter
Jacks
Jennings
Jones
Matthews
McHenry
McLeod
Miller
Peoples
Price
Ratcliffe
Reid
Stinson
Stubbs
Warren, of Union
Williams, Hot Springs
Williams, Mississippi
Williamson
Wood
Mr Speaker. 36.

Messrs Braley, Brown, Davis of Searcy
Davidson and Fisher were excused from voting. 6

On the affirmative 25.
On the negative 36.
Excused from voting 6
Absent and not voting 25
(12.

So the House refused to reject the amendment.

On motion of Mr Coleman of Clark,
Mr M Bozeman was invited to a seat upon the floor of the House.

The question then being,
On the adoption of the amendment to Sub for H. R. No 189.

The same was put,
And a division of the House being ordered 29 members voted in the affirmative and 24 members voted in the negative.

So the amendment was adopted.

On motion of Mr Davis of Pope, the Sub for House Bill No 189 was made the special order for 10 Oclock A.M. on Saturday next.

Mr McClernon gave notice that he would move a reconsideration of the vote by which the amendment to Sub for H. B. No 189 was adopted.

By unanimous consent,
the rules were suspended and Senate S.J.M. Memorial No 2. entitled "a Memorial No 2. for the improvement of the navigation of the St Francis River."
Was taken up and read the first time.

On motion of Mr Beadle,
the rules were further suspended, and the memorial was read the second time. and made the special order for 10 Oclock A.M. on Monday next.

Mr Watson moved a suspension of the

order of business in order to take up Senate Bill No 117.
upon which motion,
A division of the House was ordered
in which 45 members voted in the affirmative
and 12 members voted in the negative.
And,
the rules being suspended,

S.B. No 117.

Senate Bill No 117, entitled "A Bill to be entitled an act to prevent the sale of wines or alcoholic liquors within a distance of three miles of the town of Eldorado in the County of Union."
Was, taken up and read the first time,
and,
On motion of Mr Morgan,
the rules were further suspended, and the bill was read the second time, and made the special order for 11:30 oclock a.m. on Saturday next.

The Speaker informed the House that Mr Willing the member who had today been declared ineligible to a seat in this House - had applied to him for a certificate for per diem and mileage and that he was unable to decide how to act in the premises - and therefore laid the subject before the House,

On motion of Mr Watson, the subject was refered to the Committee on Claims.

At 3:40 oclock P.M.
On motion of Mr Tibback, the House adjourned.

Thomas N. Nesbitt
Clerk.

D. L. Tillgon
Speaker.

Journal of the House of Representatives.

Friday Morning March 2nd 1877.

The House met pursuant to adjournment at 9 o'clock.

The Clerk called the roll and the following members answered to their names: Messrs:

Allen
Andrews
Barnett
Berry
Blankenship
Bradley
Brooks
Brown
Chaney
Cobb
Coleman, of Clark
Coleman, of Phillips
Cotham
Cubage
Davis, of Pope
Davis, of Searcy
Davidson
Donahoo
Duncan
Dunnagin
Dunham
Eagle
Ebberson
Fann
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray

Harrison, of Saline
Harrison, of Polk
Headlee
Hearn
Kersey
Hunter
Jacks
Jennings
Jones
Lawhon
Lee
Maynard
Martin, of Faulkner
Matthews
McHenry
McKennon
McLeod
McRae
Miller
Mooney
Morgan
Morton
Murphy
Pearce
Peevey
Peoples
Poynor
Price
Ratcliffe
Reid
Rice

Sams
Sawyer
Smith
Stinson
Stubbs
Tate
Thomas
Thomason
Wafford
Walker
Warren, of Crawford
Warren, of Union
Watson
Weaver
Wells
Whitson
Wilson
Williams, Hot Springs
Williams, Mississippi
Williamson
Mr Speaker.

The following members failed to answer to their names at the call of the roll, Messrs:
Avera
Best
Cunningham
Hill
Martin, of Dallas
Priddy
Roleson
Stanley

8.

A quorum announced as present.

Prayer by the Chaplain.

The Journal of yesterday was then read by the Clerk, and there being no objection thereto, was approved, and signed by the Speaker and the Clerk.

Mr Harrison of Yell rose to a question of privilege, and corrected erroneous statements made by the "Star" in regard to what he said on the subject of calling up Senate Bill for redistricting the state for Judicial purposes.

Mr Eagle, rose to a question of privilege and explained the reason of his absence on yesterday evening.

House Bill No 200. the special order for the day, was then taken up, and the bill was read for information.

Mr Wells then offered the following amendment to the bill:

"Except the Searcy Branch Rail Road"

which amendment was rejected.

On motion of Mr Williams of Hot Springs,

H. B. No 200. House Bill No. 200. entitled "a Bill for an act to amend section four thousand nine hundred and ninety eight (4998) Chapter (112) of Gantts Digest."

Was read the third time and placed on its final passage,

The question then being,

Shall the bill pass?

The Clerk called the roll, and the following members voted in the affirmative, to wit:

Allen
Andrews
Avera
Barnett
Berry
Blankenship
Braley
Brock
Brown
Chaney
Cobb
Coleman, of Clark
Coleman, of Phillips
Cotham
Embage
Davis, of Pope
Davis, of Searcy
Davidson
Duncan
Dunnagin
Dunham
Eagle
Ebberson
Farr
Fishback
Fisher
Floyd
Foster,
Gardner
Gray
Harrison, of Dallas
Harrison, of Nell

Headlee
Hearn
Hunter
Jennings
Jones
Lawhon
Lee
Maynard
Martin, of Faulkner
Matthews
McHenry
McKennon
McLeod
McRae
Miles
Mooney
Morgan
Motley
Murphy
Peevey
Peoples
Rice
Ratcliffe
Reid
Sains
Sawyer
Smith
Stinson
Stubblefield
Tate
Thomas
Thomason
Wofford
Walker
Warren, of Crawford
Warren, of Union
Watson
Weaver
Wilson
Williams, Hot Spring
Williams, Mississippi
Williamson
Payne and Mr Speaker. 75.

Messrs Gibson, Harvey, Jacks, Pearce, Robison Wells and Whitson voted in the negative 7.

In the affirmative 75.
In the negative 7.
Absent and not voting 10
92.

So the bill passed.

The question then being,

Shall the title remain as in the bill?

The same was put.

and the original title was adopted.

Mr Rector appeared within the Hall of the House and answered to his name.

A message from the Senate by Col. Fritich who appeared within the Hall of the House and read as follows:

Senate Chamber
March 1st 1877.

Mr Speaker:

I am instructed by the Senate to inform your honorable body of the passage of

S.B. No 144. S.B. No 144. "An Act to amend Sec 7. and to repeal Sec. 10. of an act to provide means for paying the expenses of the state Government and to retire the outstanding Auditor Warrants and Treasurer Certificates" approved Dec. 23rd. 1874."

S.B. No 140. Also: S.B. No. 140. "An act to amend Sec. 2239. of the Revised Statutes of the state of Arkansas"

S.B. No 114. Also: S.B. No 114. "An act to be entitled an act to legalize an order of the County Court of Monroe County readjusting the school Districts of said county."

S.B. No 156. Also S.B. No 156. "A Bill to be entitled an act to extend the time for the collection of taxes on the Tax Books of Monroe Co. for 1876. till the first day of July 1877."

H.B. No 59. Also: of the passage by the Senate of H.B. No 59. "An act to legalize and make valid certain proceedings in Justices Court in Pulaski County Ark."

H.B. No 81. Also: H.B. No 81. "A Bill to be entitled an act to legalize defective acknowledgements."

H.B. No. 6. Also: of the passage by the Senate of H.B. No. 6. "An act to reduce the taxes" with the following amendments thereto:

"Amend Sec 2. by striking out in line 16 & 17. after the words "Public schools" the words "one & one half" and insert in lieu thereof the word "two"

Amend further by striking out the word "three" in line 15. Sec. 2. and insert "four"

Also add to Sec. 4. the words "And upon his failure so to do, upon demand, he shall be liable upon his official bond in a sum equal to double the amount found to be due by him to any tax-payer, to be recovered by suit by the party interested before any court of competent jurisdiction, and the receipt of such Collector shall be sufficient evidence in such cases."
and therewith respectfully return the same.

Mr Fishback moved to suspend the regular order of business, to receive reports from the standing Committees.

Which was not agreed to.

On motion of Mr Watson,

the regular order of business was suspended and S.B. No 6. was taken up, and the amendments of the Senate thereto were read.

Mr Watson moved that the Senate be informed that the House does not concur in the amendments, and ask for a conference Committee on the subject.

Which was not agreed to.

Mr Fishback, moved the adoption of the first amendment of the Senate to the bill to wit; to strike out "one and one half mills" and to insert "two mills" in lieu thereof for school purposes.

The question then being,

On the concurrence of the House in the first amendment of the Senate to House Bill No 6.

Mr Eagle called for the ayes and nays, and the call was sustained.

Upon a call of the roll the following members voted in the affirmative: Messrs:

Allen
Andrews
Barnett
Berry
Blankenship
Bradley
Brock
Brown
Cable
Coleman, of Clark
Coleman, of Phillips
Cotham
Cubage
Davis, of Pope
Davis, of Searcy
Davidson
Dunham
Ellberson
Farr
Fishback
Gardner
Gibson
Gray
Harrison, of Saline
Hearn
Hunter
Jacks
Jones
Lee
Martin, of Faulkner
McHenry
McKenzie
Miller
Mooney
Morton
Murphy
Peevey
Peoples
Payne
Price
Ratcliffe
Reeder
Reid
Sims
Sawyer
Stinson
Stubbs
Tate
Thomason
Wofford
Warren, of Crawford
Warren, of Union
Weaver
Whitson
Williams, Hot Spring
and
Williamson

57.

The following members voted in the negative:

Messrs:

Avera
Blaney
Brinegar
Brinkley
Bayle
Fisher
Floyd
Foster
Harrison, of Yell
Harvey
Jennings
Lawhon

Maynard	Thomas	
Matthews	Walker	
McLeod	Watson	
McRae	Wells	
Morgan	Wilson	
Pearce	Williams, Mississippi	
Ralson	and	
Smith	Mr Speaker.	27.

In the affirmative 57.
In the negative 27
absent and not voting 8
92

The House concurred in the first amendment of the Senate to House Bill No 6.

The second amendment of the Senate to House Bill No.6. to wit:

"To strike out "three miles" and insert "four miles" in lieu thereof" was read.

The question then being,

On the adoption of the second amendment.

And after debate thereon,

Mr Reid moved the previous question.

The question then being,

Shall the main question be now put?

The same was put,

And the main question was ordered.

The question then being,

On the concurrence of the amendment of the Senate, by the House.

Mr Watson called for the ayes and nays and

the call was sustained.

The Clerk called the roll and the following members voted in the affirmative, Messrs:

Allen
Avera
Barnett
Bradley
Brock
Brown
Cotham
Enloe
Davis, of Pope
Durham
Ebberson
Fain
Gibson
Hunter
Jacks
Martin, of Faulkner
Matthews
McRae
Mooney
Morgan
Murphy
Pearce
Peeney
Price
Reid
Rice
Sawyer
Stinson
Tate
Warren, of Union
Williamson
and Mr Speaker. 32.

The following members voted in the negative,

Messrs:

Andrews
Berry
Blankenship
Blaney
Bobb
Coleman, of Clark
Coleman, of Phillips
Davis, of Searcy
Davidson
Duncan
Dunagin
Eagle
Fishback
Fisher
Floyd
Foster
Gardner
Gray
Harrison, of Saline
Harrison, of Yell
Hearn
Jennings
Jones
Lawhon
Lee
Maund
McHenry
McKennon
McLeod
Milam
Morton
Paynter
Ratcliffe
Reaton

Roberson		Warren of Crawford	
Sams		Watson	
Smith		Weaver	
Stubbs		Wells	
Thomas		Whitson	
Thomason		Wilson	
Wofford		Williams of Hot Springs	
Walker	and	Williams of Mississippi	50

In the affirmative 32
In the negative 50
absent and not voting 10
92

So the House refused to Concur in the second amendment of the Senate to House Bill No 6

Mr Duncan obtained leave to have the following Explanation of his vote Spread upon the Journal
Mr Speaker

I cannot concur with the Senate in this amendment from 3 Mills to 4 and believing that 3 Mills is a plenty taken into consideration the Condition of our people and for their benefit I vote aye.

Mr Reid then moved a reconsideration of the vote by which the first amendment of the Senate to House Bill No 6. was Concurred in.
Which withdrew the Same.

The third amendment of the Senate to House Bill No 6. as follows. to wit: Also further amend by inserting after Section 4 "and upon his failure so to do, upon demand he shall be liable upon his official Bond in a Sum Equal to double the amount found to be due by him to any tax payer to be recovered by Suit by the party interested, before any Court of competent jurisdiction, and the receipt of such Collector shall be Sufficient Evidence in such cases" was read, and on motion of Mr Fish

back. the same was concurred in by the House.

Mr Watson then moved that the Senate be notified that the House had failed to concur in the second amendment to House Bill No 6. and that a Committee of five be appointed by the Speaker to act with a like Committee on the part of the Senate to confer upon the said amendment and that said joint Committee should meet at One O'clock P.M.

Which motion was adopted and the Speaker appointed Messrs Watson, Avera Gardner, Rice and Williamson as such Committee on the part of the House.

On Motion of Mr Avera the rules were suspended to Enable the Chairman of the Committee on ways and means to introduce a bill.

H.B No 202 Upon which Mr Warren of Union introduced a bill Entitled "A bill to be Entitled an act providing for the Expenses of the Executive, Legislative and Judicial departments of the State Government."

Which was read the first time

Mr Gotham moved that the rules be suspended and that the bill be read the second time.

Upon which motion a division of the House was ordered in which 40 members voted in the affirmative and 20 members voted in the negative,

and,

The rules being Suspended the bill was read the Second time,

On Motion of Mr Avera 200 Copies was ordered printed and the Bill was made the Special order for 10 o'clock A M on Monday next in Committee of the whole.

On motion of Mr Sawyer. Mr Dimmock was granted leave of absence for the day

On motion of Mr Stubbs. Mr Thomas was granted an indefinite leave of absence

On motion the Special order for this hour was postponed and Mr Warren of Union. Chairman of the Committee on Ways and means Submitted the following report.

Mr Speaker.

The Committee of Ways and means return House Bill No 117 with a substitute therefor and recommend the passage of said substitute.

Sub for HB No 117

The Substitute reported for House Bill No 117 by the Committee on ways and means was then read the first time

Mr Stinson submitted the following report from the minority of the Committee on ways and means on House Bill No 117.

Mr Speaker

The undersigned a minority of the Committee on ways and means ask leave to present the following report on House Bill No 117.

The General assembly at its last session after deliberation proceeded to reduce the number and Salaries of Clerks and Employees in the several departments to the lowest number, and the lowest compensation Consistent with the efficient administration of public affairs.

It is Evident enough that the task of "Cutting down" was carried to the utmost limits of Economy by our last General Assembly.

But this "cutting down" must cease somewhere and if this House adopts the majority report and pass the Substitute Bill, our successors will have still another work in this direction, which will

result finally in absolute inefficiency in all the departments.

Some of the Heads of State departments has appeared before your committee and respectfully protested against the proposed reductions, as being absolutely incompatible with the accomplishment of their officials duties. These officers have just been elected by an overwhelming majority of our people and your Committee must believe that they understand better than those unfamiliar with the necessities of their respective offices. and it would certainly be unkind at least to suppose that they would abuse the confidence reposed in them by the people.

And it should be well known that men qualified by education, and fitted by long experience to deal with the interests of the state intelligently and efficiently cannot be had at prices, for which these positions could be pulled at auction.

Your committee contend that the number and salaries of employees of state departments have been sufficiently reduced, and therefore ask that the substitute bills do not pass.

Mr Eagle moved the adoption of the majority report.

The question then being on the adoption of the Majority report. The same was put and The report of the Majority of the Committee was adopted and the Substitute for House Bill No. 117 was thereby adopted.

A message from the Senate by its Secretary, Col Jacob Tholich, who appeared within the Hall of the House and read as follows.

Senate Chamber.
March 2nd 1877.

Mr Speaker:

I am instructed by the Senate to inform your honorable body of the passage by the Senate of S.B. No. 138.

S.B. No 138.

"A Bill for an act entitled an act to provide a general system of Rail Road Laws for this state."

S.B. No 162. Also, S.B. No 162. "an act to change the time of holding the Circuit Court in Dallas County."

S.B. No 132. Also, Senate Bill 132, "A Bill for an act to be entitled an act to enables County Courts to vacate or modify certain judgements."

S.B. No 130. Also, S.B. No 130. "A Bill to be entitled an act to change the lines separating the two Judicial Districts of Mell County." and therewith respectfully transmit the same.

The Substitute for House Bill No. 117. was then read the second time.

Mr Harrison of Mell then moved to amend the bill by striking out the word "Janitor" wherever it occurs in the bill.

Mr Eagle moved to amend the amendment of Mr Harrison of Mell, by striking out $20. for pay of all Janitors except that of the Governor — and insert $10. in lieu thereof.

Mr Cothan, Chairman of the Committee on Enrolled Bills, submitted the following report,

Mr Speaker,

Your Committee on Enrolled Bills have the honor to report that we have examined S.B. No 26. House Bill # 121. and House Bill # 179. and find the same correctly enrolled, and the same has been signed by the Speaker of the House and by the President of the Senate, and delivered to his Excellency the Governor for his consideration, this the 2nd day of March 1877.

The question then being on the adoption of the amendment of Mr Eagle to the amendment of Mr Harrison of Mell,

The same was put,
and the amendment to the amendment,
was rejected.

Mr McRae then offered to amend the bill,
But withdrew the same.

Mr Harrison of Mell then withdrew his amendment to the bill,

On motion of Mr Fishback,
250 copies of the substitute for House Bill No. 117. was ordered printed, and the bill was made the special order for 9:30 Oclock A.M. on Monday next.

On motion of Mr Rolleson,
the regular order of business was suspended and reports from standing Committees were taken up.

Mr Rolleson, Chairman of the select Committee of Eight, submitted the following report;

Mr Speaker:

Your Special Committee composed of Chairman of Standing, special, and Joint Committees, beg leave to report, that they have selected for consideration of the House the following bills, viz:
S.B. No. 155. H.B. No 76. H.B. No 148. S.B. No 11. H.B. No 189. S.B. No 119. S.B. No 25. H.B. No 101. S.B. No 30. and H.B. No. 169.
Also recommend that the House suspend all other business and take up the order of reports from standing Committees.
Also recommend that a suspension

of rules be had so that (Mr McRae) gentleman from Nevada, have leave to introduce a bill.

The report was received and adopted.

Mr Farr Chairman of the Judiciary Committee submitted the following report:

Mr Speaker:

Your Committee on the Judiciary to whom was referred Senate Bill No 52. report that they have considered the same and recommend that it do pass.

Mr Fishback for the Judiciary Committee submitted the following report:

Mr Speaker:

The Committee on Judiciary to whom was referred House Bill 175 instruct me to report the same back with a recommendation that it do not pass.

Mr McRae from the minority of the Judiciary Committee submitted the following report:

Mr Speaker:

The undersigned, a minority of the Judiciary Committee to whom was referred House Bill No 175. having considered the same respectfully reports that he is of the opinion the bill should pass. because;

1st The state has paid a very considerable amount of interest on the bonds mentioned in the bills, and by right should have the same paid to her by the Railroads that received the bonds, and for whose benefit the same was paid.

2nd The state having issued the bonds, should at least make some effort to enforce the payment from the roads receiving them.

The bondholders have a right to expect

this of the state, although the state may not be liable for the bonds.

3rd It is alleged that the state has a lien on the Bonds for the bonds, and the passage of this bill will pave the way for a settlement of this mooted question.

4th Because the passage of the bill cannot result in loss to the state, and may possibly result in great gain.

All of which is respectfully submitted &c.

Mr Farr Chairman of the Judiciary Committee submitted the following report, to wit:

Mr Speaker:

Your Judiciary Committee to whom was referred Senate Bill No 121. report that they have considered the same and recommend that it do pass.

Mr McKennon from the Judiciary Committee submitted the following report:

Mr Speaker:

The undersigned majority of your Judiciary Committee to whom was referred House Bill No 79. have duly considered the same, and report same back and recommend its rejection.

McKennon.
Ed Rice
J T Harrison
E O Watson
Lewis W Davis.

Mr McRae from the minority of the Judiciary Committee, submitted the following report:

Mr Speaker:

The undersigned, a minority of your committee on the Judiciary to whom was referred House Bill No 79. entitled "an

Act to regulate the order of pleading and trials in the Circuit Courts" beg leave to report that they have had the same under consideration and have failed to arrive at the conclusions of the majority of your committee in rejecting said bill;

We are of the opinion that the bill should be passed with the following amendments viz: "Add to Sec 6. the following:

"No jury shall be required in any civil case in the Circuit Court unless the party demanding a jury shall have deposited by nine oclock a.m. of the day of the court set by the Judge or Clerk for the trial of jury causes, a jury fee of six dollars, which sum shall be paid into the County Treasury for County purposes.

And all causes in which jury fees have been deposited, shall be at once entered by the Clerk in their regular order on a "Jury Docket." said causes shall be tried or disposed of for the term in their regular order before those cases in which no jury has been demanded, and jury fee deposited."

The petit jury shall be summoned to appear on the day after the pleading days, as fixed by the Court, and shall not be required to attend the Court until the day fixed by the court for the return of the venire.

Thos C. McRae
Hawes H Coleman
J B H Tann

Mr Stubbs Chairman of the Committee on Education submitted the following report.

Mr Speaker

Your Committee on Education beg leave to recommend the following bill. "A Bill

HB
No 203

NB to amend the Special School for Cities and Towns." also
No 204 "A bill for the better Government of the Arkansas Deaf Mute
NB Institute. also "A bill to amend section 5576 of Gantts Dige-
No 205 - st. also "A Bill to amend sections 44, 56 and 67 of an
NB ack to maintain a System of free Common Schools for
No 206 the State of Arkansas."

Mr Chaney Chairman of the Committee on Agriculture Submitted a report recommending the rejection of House Bill No 25 Entitled "An ack to be entitled an ack to give furnishers of Supplies liens on Crops."

Mr Smith Chairman of the Committee on Roads and highways, Submitted reports recommending the passage of House Bill No 190 and House Bill No 198

Mr Morgan Chairman of the Committee on the Penitentiary Submitted the following report.

Mr Speaker

Your Committee on the Penitentiary beg leave to make the following report.

We have investigated as fully as our time would allow, all matters pertaining to that Institution,

We find the General management of the prison to be humane and Kind, but with a proper firmness.

The Convicts, as we observed them are well clothed, have on good shoes, judging from their appearance are well fed, and we hear but little complaint from any of them.

The health of the prison seems to be good, and within the walls of the building, a proper regard is paid to its Sanitary Condition.

The Cells are whitewashed and Clean, and water, and Soap and lime seem to be used free-ely as disinfectants.

There is a want of proper ventilation attribu-table to the defective construction of the building, which to a great Extent excludes both light and air. This is Especially true of the Hospital which is not only poorly ventilated

a
and badly constructed, but too small to answer the purposes for which it is intended.

Dr Lenow, the Penitentiary Physician, we are informed by the Lessee has at all times given prompt attention to his duties, and our observation and inquiry confirms his report.

We examined the food frequently in passing through the prison and found it to be of good quality and well prepared, and we thought sufficient in quantity.

The Enclosure is too small for the number of Convicts confined, almost the Entire Space being occupied by buildings, and yet furnishing Shop room for more than fifty or Sixty, while there are to day confined within the walls near 350 prisoners, making their employment outside a necessity.

There is now a contract with the Lessee made under act of the last Legislature to Enlarge the grounds and build a new cell building.

This building is almost completed, contains 232 new Cells, and is built in the most durable and substantial manner, a credit to the State, to the architect who planned, and the Contractor who executed it.

The foundation for the Enlargement of the ground has been dug, and when completed the prison yard will be four times its present size, and give ample room for all necessary buildings.

A Female prison is much needed.

There are now 14 female convicts confined to a small room unsuited for their occupancy, and so situated as to prevent their Employment usefully or profitably.

We only state this fact but can make no recommendation.

We find the contract with the Lessee for improvements amounts to thirty two thousand dollars more than the appropriation made by the last General Assembly which Gov Garland makes mention of in his mess-

-age, and is expected to be provided for by this Legislature

There are in the old Cell Building 232 cells, only 174 of which are of any use, the top tier of cells are used for what are called trusties.

The new Cell Building contains 232 cells large, well ventilated, and lighted.

The prevention of escapes of prisoners under the present arrangement of working them outside the walls seems to be difficult, if not impossible, even with a large force of guards, and your Committee do not see that they can make any suggestions likely to remedy the evil.

Your Committee have at all times had free access to the Prison and have conversed with, and questioned the Prisoners without finding one who would make a reasonable complaint.

In conclusion we would say, the Lessee has at all times furnished us every facility to examine into the working of the Prison.

We are informed there is now a Bill pending in the Senate to settle the unpaid balance due the Lessee under his contract for Building the new Prison, and other improvements, with Loughborough Bonds, which he has signified his willingness to accept at 85¢ on the dollar. The propriety of this settlement is respectfully submitted, without recommendation to the General Assembly.

A message from the Governor, by his Private Secretary, General James M Pomeroy, who appeared within the Hall of the House and read as follows:

State of Arkansas,
Executive Office
Little Rock, Mar. 2nd, 1877.

To the Speaker of the House of Representatives:

Mr Speaker:-

I have this day approved and signed; H.R. 26. An Act entitled "an act to repeal an act creating Courts of Common Pleas in Faulkner County."

H.R. 121.- An Act to change the time of holding the Probate Court of Dorsey County.

H.R. 179. An Act to reduce the amount allowed for printing blank statements.

W R Miller.
Governor.

Also a further message as follows:

State of Arkansas
Executive Office
Little Rock March 2nd 1877.

To the Speaker of the House
of Representatives and the
members thereof:

Gentlemen,

I have sent a special message to the Senate, accompanied with some papers, calling the attention of the General Assembly to the matter of fixing the salary of the Financial Agents of the state in New York City, appointed by the Board of Finance, under the provisions of an act to provide means for paying the expenses of the state Government and for other purposes. Approved 23rd Dec. 1875. It will also be necessary to make an appropriation to pay the same.

Very Respectfully.
W R Miller,
Governor.

Mr Harrison of Hall, Chairman of the committee on Claims submitted the following report:

Mr Speaker:

Your Committee on Claims to whom was referred House Joint Resolution No. 6. beg leave to report: that they have had the same under consideration and that there has been referred to us a number of claims held by Albert W Bishop, as Attorney for the claimants, and after examining the same, the Committee has determined to report: that said claims numbered, 1. 3. 34. to be rejected, and Nos. 2, 5. 6. 7. to be allowed and paid, and they have directed a bill to be drawn up to be presented to the General Assembly for the payment of said claims, as a substitute for the resolution.

H.C.B. No 207.

All of which is respectfully submitted.

Also a further report as follows:

Mr Speaker:

Your Committee on Claims to whom was referred House Bill No. 199. beg leave to report that they have had the same under consideration, and recommend that it do pass.

Mr Walker Chairman of the Committee on Public Buildings, submitted the following report:

Mr Speaker:

Your committee on Public Buildings to whom was referred that portion of Governor Garlands Message relating to the Arkansas Centennial Building at Philadelphia have had the same under consideration, and submit the following as the result of their investigations.

We find upon conference with George E Wedge, United States Centennial Commissioner for Arkansas, that the original cost of said building was fifty ~~seven hundred~~ dollars, that the building can be sold for about one fifth of the original cost,

that one William E. Rowell, Centennial Agent of the L.R. & F.S. Ry. proposes to bring the building to this city (Little Rock) and re-erect the same for $1560.00

Your Committee cannot recommend the removal project as feasible, or advisable, Nor can they recommend the sale of said building at this time, at so great a sacrifice, but would recommend the passage of a bill herewith submitted authorizing the Governor to make such disposition of said building as to him may seem best for the interest of the state.

H.B. No 208.

Mr Stinson, for the Committee on Public Expenditures submitted a report recommending the passage of House Bill No 157.

Mr Gibson Chairman of the Committee on State Lands submitted reports recommending the rejection of House Bill No 127. House Bill No 145. and House Bill No 161.

Mr Roleson, Chairman of the Committee on County and Probate Courts, submitted the following report;

Mr Speaker:

Your Committee on County and Probate Courts to whom was referred H.B. No 132. having considered the same, respectfully return it, and recommend that it do pass.

Roleson, Chairman
J. E. Martin.
J. S. Hunter
J. M. Sams
W. Allen.
C. Brown
J. K. Whitson.

Mr Ratcliffe Chairman of the Committee on Cities and Towns submitted the following report:

Mr Speaker:

Your Committee to whom was referred H.B. No 197. "An Act to define the boundary lines of the City of Little Rock" would respectfully recommend that same do pass.

A further report as follows:

Mr Speaker:

Your Committee on Cities and Towns to whom was referred H.B. No 133, report same back with the following amendment:

Strike out words "City Attorney and City Clerk" wherever they appear in the bill and insert in place thereof the words "City Collector."

The Committee further recommend that the bill as amended do pass.

Mr Farr moved a suspension of the rules to call up House Bill No.

which was not agreed to

(only 13 members voting therefor)

On motion of Mr Davis of Pope,

the Doorkeeper was granted leave of absence until monday next.

At 12:30 oclock P.M.

On motion of Mr Davis of Pope

the House took a recess until

2:30 oclock P.M.

After the Recess

The Speaker called the House to order at 2:30 o'clock P.M.

The Clerk called the roll and the following members answered to their names:

Messrs:

Allen
Avera
Berry
Blankenship
Brock
Brown
Chaney
Cobb
Coleman, of Clark
Coleman, of Phillips
Cothran
Embaye
Davis, of Pope
Davis, of Searcy
Davidson
Duncan
Dunagin
Ebberson
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Calvie
Harrison, of Yell
Hendlee
Hogan
Horsey
Hunter
Jacks
Jennings
Jones
Lawhon
Lee
Maynard
Martin, of Faulkner
Matthews
McKennon
McLeod
McRae
Milon
Mooney
Morgan
Morton
Pearce
Peevey
Peebles
Poynter
Price
Ratcliffe
Reid
Rice
Roberson
Sain
Sawyer
Smith
Stinson
Stubbs
Tate
Thomas
Wofford
Warren, of Union

Watson
Weaver
Wells
Whitson
Wilson
Williams, Hot Springs
Williams, Mississippi
Williamson
and
Mr Speaker. 73.

The following members failed to answer to their names at the call of the roll: Messrs:

Andrews
Barnett
Best
Braley
Cunningham
Donaho
Durham
Eagle
Fash
Hill
Martin, of Dallas
McHenry
Murphy
Priddy
Reston
Stanley
Thomason
Walker
Warren, of Crawford 19.

A quorum announced as present.

On motion of Mr Williamson,

Mr Andrews was granted leave of absence for the evening.

On motion of Mr Lanham,

Mr Eagle was granted leave of absence for the evening.

By unanimous consent,

Mr Davis of Pope, in accordance with previous notice moved a reconsideration of the vote by which Senate Bill No 70. was indefinitely postponed. And,

On that motion called for the ayes and nays and the call was sustained,

Mr Headlee then moved to lay the

motion to reconsider the vote by which S.B. No 70. was indefinitely postponed. on the table.
Upon which motion
Mr Davis of Pope called for the ayes and nays and the call was sustained

The roll was called when the following members voted in the affirmative, Messrs:

Berry	Miller
Blakey	Peevey
Dunagin	Payne
Fisher	Price
Foster	Stubbs
Gardner	Tate
Gibson	Thomas
Gray	Walker
Hendrix	Warren, of Union
Hearn	Watson
Jacks	Weaver
Jennings	Wells
Lawhon	Whitson
Lee	and Williamson. 37.

The following members voted in the negative
Messrs:

Allen	Fishback
Avera	Floyd
Barnett	Harrison, of Saline
Blankenship	Harrison, of Yell
Brock	Hunter
Brown	Jones
Cabe	Maynard
Coleman, of Clark	Martin, of Faulkner
Cothran	Matthews
Eubanks	McKenny
Davis, of Pope	McKennon
Davis, of Searcy	McLeod
Duncan	McRae
Ebberson	Mooney

Morgan
Morton
Pearce
Peebles
Ratcliffe
Rector
Reid
Rice
Roleson

Sams
Smith
Stinson
Thomason
Wofford
Wilson
Williams, Hot Springs
Williams, Mississippi
and Mr Speaker 46.

In the affirmative 27
In the negative 46
Absent and not voting 19
92

So the House refused to lay the motion to reconsider the vote upon the table

The question then being on the motion of Mr Davis of Pope to reconsider the vote,

The Ayes and Nays were ordered when the following members voted in the affirmative

Messrs
Allen
Avera
Barnett
Blankenship
Brock
Cobb
Cotham
Cubage
Davis of Pope
Davis of Searcy
Duncan
Ebbenson
Fishback
Floyd
Harrison of Saline
Harrison of Yell
Hervey
Hunter

Jones
Maynard
Martin of Faulkner
Matthews
McHenry
McKennon
McRae
Mooney
Morgan
Morton
Pearce
Peebles
Ratcliffe
Rector
Reid
Rice
Roleson
Sams

Smith	Williams of Hot Spring	
Stinson	Williams of Mississippi	
Thomason	and	
Wilson	Mr Speaker	43

The following members voted in the negative. Messrs

Berry	McLeod	
Chaney	Miller	
Coleman of Clark	Poynter	
Dunagin	Price	
Fisher	Stubbs	
Forlew	Tate	
Gardner	Thomas	
Gibson	Wofford	
Gray	Walker	
Headlee	Watson	
Heard	Weaver	
Jacks	Wells	
Jennings	Whitson	
Lawson	and	
Lee	Williamson	29

Before the vote was announced Mr Thomason changed his vote from Nay to Aye

In the Affirmative	43
In the negative	29
absent and not voting	20
	92

So the vote by which Senate Bill No 70 was indefinitely postponed, was reconsidered.

Mr Davis of Pope then moved that Senate Bill no 70 be read the third time and placed on its final passage

Mr Tate moved that Senate Bill No 70 be laid upon the table.

Upon which motion Mr Davis of Pope called for the Ayes and nays and

the call was sustained.

The roll was called when the following members voted in the affirmative Messrs:

Allen
Barnett
Berry
Brock
Brown
Chaney
Coleman, of Clark
Duncan
Dunagin
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Saline
Headley
Hearn
Jacks
Jennings
Jones
Lanehon
Lee
Maynard
Matthews
McKennon
McLeod
Miller
Murphy
Penney
Payne
Price
Sain
Smith
Stubbs
Tate
Thomason
Wofford
Walker
Warren, of Union
Watson
Weaver
Wells
Whitson
Williams, Hot Spring
Williamson
and
Mr Speaker. 47

The following members voted in the negative:

Messrs:

Allen
Blankenship
Cobb
Cotham
Eubanks
Davis, of Pope
Ebbenson
Fishback
Kerney
Kinnuter
Martin, of Faulkner
McHenry
McRae
Mooney
Morgan
Morton
Peoples
Ratcliffe
Reeton
Reid

Rice
Rolleson
Stinson

Thomas
and
Wilson

25.

In the affirmative 47.
In the negative 25
Absent and not voting 20
92.

So Senate Bill No 90. was laid on the table.

House Bill No 180. which had been read the third time on yesterday,
Was then taken up and placed on its final passage.

The question then being,
Shall the bill pass?

The roll was called when the following members voted in the affirmative, Messrs:

Allen
Asers
Barnett
Blankenship
Brock
Chaney
Cobb
Coleman, of Clark
Coleman, of Phillips
Cotham
Enbage
Duncan
Dunagin
Ebberson
Fishback
Floyd
Gibson
Gray
Hearn

Hunter
Jacks
Maimard
Martin, of Faulkner
Matthews
McHenry
Mauney
Morgan
Murphy
Peevey
Peoples
Paynes
Price
Ratcliffe
Reid
Roleson
Sawyer
Smith
Stinson

Walker	Williamson	
Warren of Union	and	
Whitson	Mr Speaker	43.

The following members voted in the negative.
Messrs:

Berry	Miles	
Fisher	Morton	
Foster	Reeder	
Gardner	Sams	
Harrison of Dale	Tate	
Harrison of Polk	Thomas	
Jennings	Wofford	
Jones	Watson	
Lawhon	Weaver	
Lee	Wells	
McKennon	and	
McLeod	Williams, Mississippi	23.

Mr Davis of Pope was excused from voting.

Before the vote was announced, Mr Jennings changed his vote from aye to nay.

On the affirmative	43.
On the negative	23
Excused from voting	1
Absent and not voting	25
	92.

So the bill passed.

The question then being,
Shall the title remain as in the bill?

The same was put,
And the title was adopted.

A message from the Senate by its Secretary Col Shalich who appeared within the Hall of the House and read as follows:

Senate Chamber
March 2nd 1877.

Mr Speaker;

I am instructed by the Senate to inform your honorable body of the passage of S.C.R. 18. "That the Governor and Secretary of State furnish R W Trimble with such information as will aid him in securing information for his History of Arkansas."

Also S.B. No 129. "A Bill for an act to authorize the Commissioner of State Lands to sell the property known as the Arkansas Institute for the Blind in Arkadelphia Clark County Arkansas."

Also, S.B. No 161. "A Bill for an act to establish a Court of Common Pleas in the counties of Columbia, Lafayette, Miller, Lincoln, Sonoke, Dorsey and Desha."

Also S.B. No 119. "A Bill to be entitled an act providing the manner and before whom minors, femes covert, persons of unsound mind, and persons in confinement shall redeem lands sold to the State for non-payment of taxes and for other purposes."

Also, S.B. No 178. "An act to provide for refunding to counties the school funds which have been erroneously apportioned to other counties."

Also, S.B. No 114. "An Act to be entitled an act to suppress the gaming device known as "Keno," &c."

Also, the rejection by the Senate of S.B. No 94. "A Bill to be entitled an act to declare the marriage between Wm. S. Knot, and Martha Jackson legal and valid; also declaring the marriage between Bicro Levisey and Fannie

Maxwell legal and valid."

(Also) that the Senate refuses to recede from its amendment to House Bill No 6. in which the House refuses to concur, namely; striking out "three" in sec. 2. line 15, of said bill. and inserting "four."

FB No 6

and appoint as a Committee of Conference the following Senators: Pindall, Jones, Williams, Brush and Thrower.

Mr McHenry moved a suspension of the rules in order to call up House Bill No. 199.

There being objections thereto, a division of the House was ordered in which 39 members voted in the affirmative and 11 members voted in the negative.

And

the rules being suspended,

On motion of Mr McHenry,

H. B. No 199.

House Bill No 199. entitled "an act for the relief of Thomas Gillem"

Was read the third time and placed on its final passage.

The question then being,

Shall the bill pass?

The roll was called and the following members voted in the affirmative, Messrs:

Allen
Avera
Barnett
Blankenship
Brack
Cotham
Davis, of Pope
Duncan
Dunagin
Fisher
Floyd
Foster
Gardner
Gray
Harrison, of Yell
Hunter

Eubanks
Jennings
Lawhon
Maynard
Matthews
McHenry
McKennon
McLeod
Morgan
Morton
Murphy
Peevey

Peoples
Ratcliffe
Reeton
Reid
Smith
Stinson
Stubbs
Tate
Thomas
Warren, of Union
Weaver
and Mr Speaker. 40.

The following members voted in the negative,
Members

Berry
Chaney
Cobb
Fishback
Gibson
Harrison, of Saline
Heeney
Jacks
Lee
Martin, of Faulkner
Miller
Mooney
Poynter

Rolerson
Saunders
Thomason
Trafford
Walker
Warren, of Crawford
Watson
Wells
Whitson
Wilson
Williams, Hot Springs
Williams, Mississippi
25.

Before the vote was announced Mr Berry changed his Note from aye to nay.

Mr Coleman of Phillips was excused from voting.

On the affirmative	40.
On the negative	25
Excused from voting	1
Absent and not voting	26
	92.

So House Bill No 199. was rejected (not having received the requisite two thirds vote)

Pending the last vote,
Mr Warren of Crawford appeared within the Hall of the House and answered to his name.

Mr McHenry gave notice that he would move a reconsideration of the vote by which House Bill No 199. was rejected.

Mr McKernon moved a suspension of the rules to enable him to withdraw his notice of a motion to reconsider the vote by which the amendment to House Bill No 189. was adopted.

There being objections thereto a division of the House was ordered in which 30 members voted in the affirmative and 12 members voted in the negative.
No quorum voting,
the motion has lost.

Mr Umbaugh moved to adjourn, but withdrew the motion.

Mr Brock moved,
A suspension of the rules, to enable him to introduce a Resolution,
There being objections thereto a division of the House was ordered in which 10 members voted in the affirmative, and ten members voted in the negative;
And,
the rules being suspended

Mr Brock introduced House Concurrent
H.C.R. Resolution No 9 entitled "A Resolution
No 9. relating to the bonded indebtedness of the
State of Arkansas, and providing for a
joint Committee to prepare a resolution
defining a basis of compromise."

Mr Fishback moved to adjourn,

upon which motion,

A division of the House was ordered
in which 30 members voted in the
affirmative, and 38 members voted
in the negative.

So the House refused to adjourn.

Mr Brock moved the adoption of
House Concurrent Resolution No 9.

Mr Thomas moved to amend the
Resolution "providing that said joint
Committee shall introduce the Resolution
into the House at or before 11 Oclock
and 30 minutes on tomorrow.

Which was accepted by Mr Brock

Mr Fishback,
then offered the following
amendment to the Resolution:
Resolved,
That said Committee shall
not agree to any proposition
looking to compromise the Rock
Road Aid Bonds.

Mr Thomas moved the rejection of

the amendment.

Mr Bubage moved to adjourn.

Upon which motion,

a division of the House was ordered,
when 48 members (a majority of the
whole House) voted in the affirmative.

Whereupon, at 4:40 o'clock P.M.
the House

Adjourned.

Thomas H. Newton
Clerk.

D L Hilligoss
Speaker.

Journal of the House of Representatives.

Saturday Morning March 3rd 1877.

The House met pursuant to adjournment at 9 o'clock

The Clerk called the roll and the following members answered to their names, Messrs:

Allen
Andrews
Avera
Barnett
Berry
Blankenship
Brock
Brown
Chaney
Cobb
Coleman, of Clark
Coleman, of Phillips
Cotham
Cubage
Davis, of Pope
Davis, of Searcy
Davidson
Duncan
Dunagin
Eagle
Ebberson
Fain
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Sabine
Harrison, of Yell
Headlee
Hearn
Hemter
Jacks
Jennings
Jones
Lawhon
Lee
Maynard
Martin, of Faulkner
Matthews
McHenry
McKennon
McLeod
McRae
Mills
Mooney
Morgan
Morton
Murphy
Pearce
Peevey
Peoples
Poynter
Price
Ratcliffe
Reid
Rice
Roleson
Sams
Sawyer
Smith
Stinson

Stubbs
Tate
Thomas
Thomason
Wofford
Walker
Warren, of Crawford
Warren, of Union
Watson
Weaver
Wells
Whitson
Wilson
Williams, Hot Springs
Williams, Mississippi
Williamson
and
Mr Speaker. 81.

The following members failed to answer to their names at the call of the roll: Messrs:

Best
Braley
Cunningham
Donaldson
Durham
Hervey
Hill
Martin, of Wallace
Priddy
Reator
and
Stanley 11.

A quorum announced present.

Prayer by the Chaplain.

The Journal of yesterday was then read by the Clerk, and there being no objection thereto, was approved and signed by the Speaker and the Clerk.

On motion of Warren of Crawford,
Mr Best was granted a further leave of absence.

On motion of Mr Foster,
John Christian Page, was granted leave of absence for the day.

On motion of Mr Thomason,
leave of absence was granted to Mr Braley for the day.

Mr Maynard moved that the rules be

suspended to enable him to introduce a bill

Objections being made thereto.

A division of the House was ordered in which 48 members voted in the affirmative and 3 members voted in the negative.

So the rules being suspended,

H.B. No 209. Mr Maynard introduced a bill entitled "A Bill to be entitled an act to declare outstanding bonds, notes and certificates of indebtedness of all cities of the first class in the state of Arkansas equally valid and binding, without regard to the kind of paper upon which the same were written, printed or engraved."

Which was read the first time.

On motion of Mr Maynard,

the rules were further suspended, the bill was read the second time, and referred to the Committee on the Judiciary.

H.B. No 6 Mr Watson from the joint Committee of Conference on House Bill No 6. submitted the following report:

Mr Speaker,

Your Committee of Conference on H.B. No 6 "An act to release Taxes", have met the Committee on the part of the Senate, and have had the question submitted to them for consideration, and the Joint Committee recommend that the Senate recede from its amendment, and that the bill amended so as to levy a four mill tax for the year 1877. and three and one half mills afterwards, to pay the interest on the public debt.

Respectfully submitted.

By unanimous consent the rules were suspended and

Mr Webb introduced a bill entitled

H.B. No 210. "An Act to donate certain lands lying in the counties of Phillips, Lee, St Francis, Cross, Poinsett, Craighead and Green, to the Iron Mountain and Helena Railroad Company, for the purpose of aiding said Company in the construction of their road through said counties"

Which was read the first time.

On motion of Mr Rules on the rules were suspended and the bill was read the second time and referred to the Committee on Rail Roads.

Mr McRae rose to a question of privilege and corrected erroneous statement of the Gazette in regard to his course on Senate Bill No 70.

Mr Watson submitted the following report from the minority of the Judiciary Committee.

Mr Speaker:

The undersigned, a minority of your Committee to whom was referred Senate Bill entitled "An Act to provide for a general and uniform system of taxation of Railroads S.B. No 121. within this state" would respectfully state that they are unable to arrive at the same conclusion as the majority of your committee, and for reason states.

1st That they believe said bills contrary to the spirit of our Constitution, and laws.

2nd That they believe said bill is unjust and discriminating in its provisions and should not pass this House.

3rd. That said bill proposes to exempt a large amount of property from taxation.

which should be taxed equally with other property the same to be taken and considered as personalty under the Constitution and laws of the State.

E J Watson
Lewis W Davis
A S McKennon.

On motion of Mr Jones.

the rules were suspended and Senate Bill No 119. entitled "A Bill to be entitled an act to compensate Perry County for the loss of her territory in the formation of Faulkner County, and to extend the provisions of the 4th section of the act creating said county, to the county of Perry."

S.B. No 119.

Was taken up and read the first time.
And,

On motion of Mr Jones the rules were suspended and the bill was read the second time and made the special order for 10 oclock a.m. on Tuesday next.

A message from the Senate by its Secretary Col Trulock, who appeared within the Hall of the House and read as follows:

Senate Chamber.
March 3rd 1877.

Mr Speaker:

I am instructed by the Senate to inform your honorable body of the concurrence by the Senate in H.C.R. No 8. "Providing for a joint session on Saturday, March 3rd at 12 M. of the General Assembly to elect two Trustees of the Arkansas Industrial University to fill vacancies."
and herewith respectfully return the same.

Mr Wilson rose to a question of privilege

and corrected statements of the Gazette in regard to his vote on H.B. No 200.

By unanimous consent,
the rules were suspended
and

Mr McKennon introduced House Concurrent H.C.R. No 10: Resolution No 10 entitled "A Resolution providing for ascertaining and adjusting the indebtedness of the state."

Which was read the first time.

Mr Starr moved the adoption of the Resolution

Mr Eagle then offered the following amendment to the Resolution:

"Provided that nothing therein shall be understood as binding any member of the General Assembly to support any measure looking to scaling any of the unjust or illegal bonds of the state."

Mr Watson made the following point of order "This is a Joint Resolution and must lay over one day under the rules. And it is one that must be signed by the Governor, and must take the course of a bill, and be read three times on different days."

The question then being,
On the adoption of the amendment of Mr Eagle, to H.C.R. No 10,

Mr Jacks moved that the Resolution and proposed amendment be made the special order for 12 oclock M. on Monday next, and that 150 copies of the same be ordered printed.

Messrs Dunham, Kenney, Rector

and Rice appeared within the Hall of the House and answered to their names.

On motion of Mr Coleman of Phillips
Mr Denbow was granted leave of absence for the day.

The question then being,
On the motion of Mr Jacks to make H.C.R. No 10. the special order for 12 o'clock on Monday next, and to print 150 copies thereof.

Mr Whitson called for the ayes and nays and the call was sustained.

The Clerk called the roll and the following members voted in the affirmative, Messrs:

Allen		Lee
Davidson		Mooney
Ebberson		Reder
Fishback		Robeson
Gray		Watson
Jacks		Whitson
Lawhon	and	Williamson 14.

The following members voted in the negative, Messrs:

Avera		Driver
Barrett		Dunham
Blankenship		Eagle
Brock		Farr
Brown		Fisher
Chaney		Floyd
Cobb		Foster
Coleman, of Clark		Gardner
Coleman, of Phillips		Gibson
Cotham		Harrison, of Dallas
Crabtree		Harrison, of Polk
Davis, of Pike		Headley
Davis, of Searcy		Hearn
Duncan		Hervey

Hunter
Jennings
Jones
Maiwand
Martin, of Faulkner
Matthews
McHenry
McKennon
McLeod
McRae
Milor
Morgan
Morton
Murphy
Peevey
Peeples
Poynter
Price
Ratcliffe
Reid
Rice
Sams
Sawyer
Smith
Stinson
Stubbs
Tate
Thomas
Thomason
Wofford
Walker
Warren, of Crawford
Warren, of Lincoln
Weaver
Wells
Wilson
Williams, Hot Springs
Williams, Mississippi
and
Mr Speaker.

69.

In the affirmative 14.
In the negative 69.
Absent and not voting 11
92.

So the House rejected the motion to make the Resolution the special order for 12 Oclock on Monday next.

The question then being,

On the adoption of the amendment of Mr Eagle.

Mr Fishback called for the ayes and nays and the call was sustained.

Upon which,

Mr McKennon accepted the amendment of Mr Eagle, to House Concurrent Resolution No 10.

On motion of Mr Williams of Hot Springs a call of the House was ordered, and the Sergeant at Arms was directed to bring in the absentees.

The Clerk called the roll and the following members answered to their names, Messrs:

Allen
Andrews
Avera
Barnett
Berry
Blankenship
Brook
Brown
Chaney
Cobb
Coleman, of Clark
Coleman, of Phillips
Cotham
Eubanks
Davis, of Pope
Davis, of Searcy
Davidson
Duncan
Dunnagin
Dunham
Eagle
Ebbenson
Fann
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Saline
Harrison, of Yell
Headlee
Hearn
Henry
Hunter
Jacks
Jennings
Jones
Lawhon
Lee
Maynard
Martin, of Faulkner
Matthews
McHenry
McKenzie
McLeod
McRae
Milam
Mooney
Morgan
Morton
Murphy
Pearce
Peevey
Peoples
Poynter
Price
Ratcliffe
Reeder
Reid
Rice
Roberson
Sams
Sawyer
Smith

Stinson
Stubbs
Tate
Thomas
Thomason
Wofford
Walker
Warren, of Crawford
Warren, of Winn and Mr Speaker. 84.

The following members failed to answer to their names at the call of the roll, Messrs:

Best
Bradley
Cunningham
Donahoo and Stanley. 5.

Messrs Best, Donahoo, Hills, Martin of Dallas, Priddy and Stanley were absent on leave of the House. 6.

A quorum of the House announced as present.

On motion of Mr Williams of Hot Springs the further call of the House was dispensed with.

" " " " " " " " " " " " " " " " " "

The question then being,
On the adoption of House Concurrent Resolution No 10.

Mr Thomas moved the previous question.

" " " " " " " " " " " " " " " " " "

The question then being,
Shall the main question be now put?
The same was put.
And the main question was ordered.

The question then being,
Shall the Resolution pass?

The, ayes and nays were ordered and the following members voted in the affirmative

Messrs:

Andrews
Avera
Barnett
Blankenship
Brown
Chaney
Coleman, of Clark
Coleman, of Phillips
Cotham
Umbarger
Davis, of Pope
Duncan
Durham
Eagle
Ebberson
Fann
Fisher
Floyd
Foster
Gardner
Gibson
Harrison, of Saline
Harrison, of Yell
Headley
Hearn
Henry
Hunter
Jennings
Jones
Lawson
Maynard
Martin, of Faulkner
Matthews
McHenry
McKennon
McLeod
McRae
Miller
Morgan
Morton
Murphy
Pearce
Peevey
Peoples
Price
Ratcliffe
Reid
Rice
Robeson
Sains
Sawyer
Smith
Stinson
Stubbs
Tate
Thomas
Wafford
Warren, of Crawford
Warren, of Union
Weaver
Wells
Wilson
Williams, Hot Springs
Williams, Mississippi
Williamson
and Mr Speaker. 66.

The following members voted in the negative,

Messrs:

Allen
Berry

Brock
Cobb
Davis of Searcy
Davidson
Dunagin
Fishback
Gray
Jacks

Lee
Mooney
Paynes
Reston
Thomason
Walker
Watson
Whitson

18.

Before the vote was announced Mr Coleman of Clark changed his vote from nay to aye.

On the affirmative	66.
On the negative	18
Absent and not voting	8
	92.

So House Concurrent Resolution No 10. was passed, (having received the requisite Constitutional vote of two thirds of the whole House.)

On motion of Mr Stubbs.
Prof W D Parham, was invited to a seat upon the floor of the House.

On motion of Mr Davis of Pope,
the Hon M.M. Pomeroy, was invited to a seat upon the floor of the House.

Mr Eagle presented a remonstrance of citizens against the formation of the proposed new County of Campbell,

Which, without being read, was referred to the Committee on County and County Lines.

Mr Harrison of Hall rose to a question to privilege and submitted the following report from the Committee on Claims:

Mr Speaker:

Your Committee on Claims to whom was referred the Claim of Mr Willing Representative from the County of Chicot, for mileage and per diem, beg leave to report: that they have had the same under consideration and in the limited time they have been able to devote to the consideration of the claim, have come to the conclusion that the precedents of all legislative bodies have allowed reasonable pay to members who have been admitted to seats on proper credentials

In the celebrated case of Bales vs Edwards, from the 3rd Congressional District of Arkansas a few years ago, Edwards was the sitting member with legal certificate of Election, while Bales was afterwards seated on a contest. Congress allowed Edwards compensation to a large amount.

The case at Bar is plain and simple. Willing was seated on regular papers, and on complaint of a member of the House his case was referred to a Committee on Elections, and on their report, the seat was declared vacant. There was no contestant. Now it is admitted that Willing received a majority of votes and was elected, and his being unseated turned entirely from the construction of Constitutional law — as to his eligibility, and on which construction great diversity of opinion has existed and still exists, not only amongst members of this House, but among lawyers who have examined the subject.

Under this state of facts, your Committee are of opinion that Willing did reject in claiming his seat as a member, till excluded by the House, particularly so, since this House had seated Price on a contest which latter case in the opinion of many members did not materially differ from the case at Bar.

Under all the facts of this case your Committee have arrived at the conclusion that Willing is entitled to pay, per diem, for the number of days he has actually served, and mileage as allowed by law; wherefore they recommend the passage of the accompanying Resolution.

Harrison of Hall
Lee of Newton
A. S. Hearn
L W Matthews
P S. Price.

The report of the Committee was received.

Mr Weaver from the Minority of said Committee submitted the following report;

Mr Speaker;

We the undersigned, the minority of your Committee to whom was referred the claim of J E Willing, (the member elected from Elliott County, for mileage and per diem) have had the same under consideration, and beg leave to submit the following;

Whereas, the said J E Willing has by the majority vote of this House been declared to be clearly ineligible to a seat in this General Assembly for reasons founded upon Constitutional grounds.

We therefore find that the said J E Willing, is not entitled to either mileage or per diem, as a member of this body. And therefore we submit the following Resolution;

Resolved, That in consequence of the said J E Willing not being eligible to a seat as a member in this General Assembly, he, the said J. E Willing, is not entitled to either mileage, or per diem as a member of this body.

Signed.

R. B. Weaver.
T. B. Jennings
J W Hunter.

Mr Reid moved the adoption of the minority report of the Committee on Claims

On Motion of Mr Barnett Mr Durham was granted leave of absence for the day

The question then being on the adoption of the report of the minority of the Committee on Claims, and

after debate thereon.

Mr Warren of Crawford moved the previous question.

The question then being.

Shall the main question be now put.

The same was put and the main question was ordered by a rising vote of 38 affirmative, and 14 Negative votes

The question then being on the adoption of the minority report.

The same was put and a division of the House being ordered, 15 Members voted in the affirmative and 46 Members voted in the negative.

So the House refused to adopt the minority report.

Mr Fishback gave notice he would move a reconsideration of the vote by which House Concurrent Resolution No 10 passed.

The question then recurring on the adoption of the report of the Majority of the Committee on Claims.

Mr Reid moved to amend the same

by Striking out "the number of days for which he has Served"

The question then being on the adoption of the amendment.

On Motion of Mr Warren of Crawford the amendment was rejected by a Viva voce vote.

Mr Thomason Moved to amend the report by Striking the words "together with the usual mileage allowed by law." therefrom

Mr Stubbs then moved to recommit the whole subject to the Committee on Claims

Which was not agreed to

The question then being on the adoption of the amendment of Mr Thomason.

The same was put and the amendment was rejected

The question then being on the adoption of the report of the Majority of the Committee on Claims.

The same was put and the Majority report was adopted, and it was.

Resolved, that the Clerk and Speaker of the House of Representatives be and they are hereby authorized and required to issue pay certificates to D E. Willing Representative from the County of Whiteside for the number of days he has actually served in this General Assembly together with the usual mileage allowed by law.

Mr Warren of Crawford gave notice that he would move a reconsideration of the vote by which Mr Willing of Whiteside

County was declared ineligible to a seat in this Senate as Representative from Chicot County.

Which motion was ruled out of order as the time prescribed for such motion had expired.

By direction of the Speaker, the Senate was notified that the House was now ready to receive that body in Joint Session for the purpose of electing two members of the Board of Trustees of the Arkansas Industrial University.

The approach of the Senate was then announced and that body, preceded by its officers appeared within the Hall of the House and were seated.

(The President of the Senate in the Chair)

The Secretary called the roll of the Senate and the following Senators answered to their names, Messrs:

Armistead	Judkins
Blackwell	Kerr
Bunch	Mulkey
Campbell	Normah
Chism	Pindall
Crawley	Reagan
Duffie	Sims
Ferguson	Stanford
Hampton	Sullivan
Harris	Thrower
Haycock	Tipton
Hicks	Tobey
House	Williams
Johnson	Wilson
and	Mr President

29.

Senators East and Pennington failed to answer to their names at the call of the

roll.

A quorum of the Senate announced as present.

The Clerk called the roll of the House and the following members answered to their names:

Allen
Andrews
Arena
Barnett
Berry
Blankenship
Brack
Brown
Chaney
Cobb
Coleman, of Clark
Coleman, of Phillips
Dibrell
Davis, of Pike
Davis, of Searcy
Davidson
Duncan
Dunagin
Farr
Fishback
Fisher
Floyd
Gardner
Gibson
Gray
Harrison, of Saline
Harrison, of Polk
Hearn
Hunter
Jacks
Jennings
Jones
Lawhon
Maynard
Martin, of Faulkner
Matthews
McHenry
McKennon
McLeod
McRae
Milam
Mooney
Morgan
Morton
Murphy
Pearce
Peevey
Poynter
Price
Ratcliffe
Reaton
Reid
Rice
Robeson
Sain
Sawyer
Smith
Stinson
Stubbs
Tate
Thompson
Wofford
Walker
Warren, of Crawford
Warren, of Union
Watson
Weaver
Wells

Wilson	Williamson	
Williams Hot Springs	and	
Williams, Mississippi	Mr Speaker.	73.

The following members failed to answer to their names at the call of the roll, Messrs

Best	Harvey	
Braley	Hill	
Cathcart	Lee	
Cunningham	Martin, of Dallas	
Donahoo	Peoples	
Durham	Priddy	
Eagle	Stanley	
Ebbersen	Thomas	
Foster	and	
Headley	Whitten	19.

A quorum of the House announced as present.

The President of the Senate announced that the object of the Joint Session was for the purpose of electing two members of the Board of Trustees of the Arkansas Industrial University to fill vancies caused by the resignation of the Hons. J C Walker and M F Lake. and that nominations for one member for the Board of Trustees to fill the vacancy caused by the resignation of the Hon. J C Walker. were now in order.

Mr Davis of Pope,
nominated Hon. G. D. Royston.

Mr Walker nominated,
Hon D L Gillgore,
but withdrew the same by request.

Mr Foster nominated,
Hon O. D. Cook.

There being no other nominations,
the Secretary called the roll of the Senate
and the following Senators voted for the Bloom
& D Royston: Messrs

Armistead
Blackwell
Campbell
Branch
Chism
Crawley
Duffie
Ferguson
Hampton
Harris
Hayrick
Hicks
House
Johnson
Judkins
Kerr
Mulkey
Norman
Pindall
Reagan
Sims
Stanford
Tiptoh
Tobey
Williams
Wilson
and
Mr President

27.

The Clerk called the roll of the House
and the following members voted for
the Bloom. & D Royston: Messrs

Allen
Andrews
Avera
Barnett
Berry
Blankenship
Brock
Brown
Chaney
Cobb
Coleman, of Bleck
Coleman, of Phillips
Cotham
Cubage
Davis, of Pope
Davis, of Searcy
Davidson
Duncan
Dunagin
Fann
Fishback
Fisher
Floyd
Gardner
Gibson
Gray
Harrison, of Saline
Harrison, of Polk
Hearn
Heerey
Hunter
Jacks
Jennings
Jones
Lanham
Lee

Maynard	Roleson
Martin, of Pulaski	Sams
Matthews	Sawyer
McHenry	Smith
McKenzie	Stinson
McLeod	Stubbs
McRae	Tate
Miller	Thomason
Mooney	Wofford
Morgan	Walker
Morton	Warren of Union
Murphy	Watson
Pearce	Weaver
Peevey	Wells
Poynter	Whitson
Price	Wilson
Ratcliffe	Williams Hot Spring
Reaton	Williams, Mississippi
Reid	Williamson
Rice	and Mr Speaker. 76.

Messrs Foster and Warren of Crawford voted for Hon O W East. 2.

Recapitulation of the Vote

In the Senate Hon L D Royston received 27 votes
In the House Hon L D Royston received 76 Votes
Total 103 votes

In the House Hon A H East received 2 Votes

Whole number of votes cast 105
Necessary to a choice 53

Hon L D Royston having received a majority of all the votes cast was by the President of the Senate declared to be duly and legally Elected a member of the Board of Trustees of the Arkansas Industrial University to fill the vacancy caused by the resign-

-ations of the Hon J L Walker- for and during the time prescribed by law.

The President of the Senate then announced that nominations were in order for one member of the Board of Trustees of the Arkansas Industrial University, to fill the vacancy caused by the resignation of the Hon M H Lake

Senator Wilson nominated the Hon S P Pittman

Mr Smith nominated the Hon D Bridenthal

Senator Armistead nominated Dr E R Duval

Senator Reagan nominated the Hon F M Sams

Mr Dunagin nominated the Hon T J Stubbs

Senator Chism nominated Dr M M McGuire

Senator Judkins nominated Hon J N Hillhouse

Mr Fisback Nominated Professor James Mitchell
But Mr Parr withdrew his name by request

There being no further nominations the Secretary called the roll when the following Senators voted for Mr Pittman. Messrs Campbell. Hampton. Haycock. Hicks. Pindall. Wilson and Mr President 7.

Senators Duffie and Ferguson voted for Mr Bridenthall 2

Senators Armistead, Johnson. Kerr. and Williams voted for Mr Duval 4

Senators Bunch. Reagan. Sullivan. and Doby voted for Mr Sams 4

Senators Blackwell and Chism voted for Mr McGuire 2

Senators House, Mulkey, Norman, Sims, Stanford, and Tipton voted for Mr Stubbs 6

Senators Crowley, Harris and Judkins voted for Mr Hillhouse 3

The Clerk called the roll of the House and the following members voted for Mr Pittman. Messrs

Allen
Avera
Andrews
Barnett
Chaney
Cobb
Coleman of Clark
Duncan
Matthews
McHenry
McRae
Morgan
Reed
Thomason
Walker
Warren of Union
Watson
and Wilson 18

Mr Smith voted for Mr Brickenthall 1

Messrs Fishback, Robison and Stinson voted for Mr Duval 3

The following members voted for Mr Sams. Messrs

Berry
Blankenship
Cotham
Davis of Pope
Davis of Searcy
Farr
Floyd
Harrison of Saline
Hunter
Jacks
Lawhon
Lee
Maynard
McKennon
Milor
Morton
Peevy
Peoples
Poynor
Stubbs
and Williamson 21

The following members voted for Mr Stubbs. Messrs

Brock
Brown
Coleman of Phillips
Cabaye
Davidson
Dunaway
Fisher
Foster

Gardner	Rector	
Gray	Rice	
Hearn	Sams	
Jennings	Sawyer	
Jones	Tate	
Martin of Faulkner	Wofford	
McLeod	Warren of Crawford	
Mooney	Weaver	
Murphy	Wells	
Pearce	Williams of Hot Springs	
Price	Williams Mississippi	
Ratcliffe and	Mr Speaker	32

Mr Gibson voted for Mr Hillhouse 1

Messrs Harrison of Yell and Dewey voted for Mr McGuire 2

Recapitulation:

In the Senate Mr Pittman received		7	Votes
In the House Mr Pittman	"	18	"
	Total	25	

In the Senate Mr Bridenthall received		2	Votes
In the House Mr Bridenthall	"	1	"
	Total	3	

In the Senate Mr Duval received		4	Votes
In the House Mr Duval	"	3	"
	Total	7	

In the Senate Mr Sams received		4	Votes
In the House Mr Sams	"	21	"
	Total	25	

In the Senate Mr McGuire received		2	Votes
In the House Mr McGuire	"	2	"
	Total	4	

In the Senate Mr Stubbs received		6	Votes
In the House Mr Stubbs	"	32	"
		38	

In the Senate Mr Hillhouse received 3 Votes
In the House Mr Hillhouse " 1 "
4

Whole number of votes Cast 106
Necessary to a Choice 54

No Candidate having received a majority of all the votes Cast. there was no Election and the Joint Session proceeded to a Second ballot

The names of Messrs. McGuire. Hillhouse Duval Stubbs Sams and Bridenthal were withdrawn

Senator Judkins renominated Mr J N Hillhouse

Mr Brown nominated Mr . J M Hewitt

Mr Hewey nominated Mr W C Stouk but withdrew the Same by request

There being no further nominations the Secretary Called the roll of the Senate and the following Senators voted for Mr Pittman. Messrs.

Armistead	Norman	
Blackwell	Pindall	
Bunch	Reagan	
Campbell	Stamford	
Chism	Sullivan	
Hampton	Tolar	
Haycock	Tobey	
Hicks	Williams	
Johnson	Wilson	
Kerr	and Mr President	20

Senators Crowley, Duffie, Ferguson, Harris Judkins Mulkey and Sims voted for Mr Hillhouse 7

The Clerk Called the roll of the House when the following members voted for Mr Pittman, Mess

Allen	Avera
Andrews	Barnett

Berry	M Kennon
Blankenship	M Leod
Brock	M Rae
Chaney	Miller
Cobb	Mooney
Coleman of Clark	Morgan
Coleman of Phillips	Morton
Cothran	Murphy
Cubage	Perry
Davis of Pope	Peoples
Davis of Searcy	Poynor
Duncan	Price
Dunagan	Ratcliffe
Farr	Rector
Fishback	Reid
Fisher	Roleson
Foster	Sams
Harrison of Calhoun	Sawyer
Harrison of Yell	Smith
Hearn	Thomason
Henry	Wofford
Jacks	Walker
Jennings	Warren of Crawford
Jones	Warren of Union
Lawhon	Watson
Lee	Wells
Maynard	Wilson
Matthews	Williams of Hot Spring
McNeny	Williamson
Martin of Faulkner and	Mr Speaker 64

The following members voted for Mr Hillhouse, Messrs

Davidson	Hunter
Eagle	Pearce
Floyd	Stinson
Gardner	Stubbs
Gibson	and
Gray	Tate 11

Mr Brown voted for Mr Hewett 1

Recapitulation

In the Senate Mr Pittman received		20	Votes
In the House Mr Pittman	"	64	"
	Total	84	
In the Senate Mr Hillhouse received	7	Votes	
In the House Mr Hillhouse received	11	"	
	Total	18	
In the House Mr Hewitt received		1	Vote
Whole number of Votes Cast		103	
Necessary to a Choice		52	

The Hon S P Pittman having received a majority of all the votes cast was by the President of the Senate declared to be duly and legally elected a member of the Board of Trustees of the Arkansas Industrial University to fill the vacancy caused by the Resignation of the Hon M F Lake for and during the time prescribed by Law

On motion of Senator Williams the President declared the Joint Session dissolved and the Senate preceded by its Officers retired from the Hall of the House

The Speaker Called the House to order

Mr Stubbs moved that the House take a recess until 2:30 o'clock P M

Mr Dewey moved to adjourn
But withdrew the same

By unanimous Consent the rules were suspended and Mr Gibson Introduced a Bill Entitled
NB
No 211 "A Bill for an act to appropriate fifteen thousand dollars to pay the Expenses of the General Assembly".

Which was read the first time

On motion of Mr Fishback the rules were further suspended and the Bill was read a second time

At 12:55 P M On motion of Mr Fishback the House Adjourned until nine O'Clock A M on Monday next

Thomas A Hendricks
Clerk

D. L. Gillespie
Speaker

Journal of the House of Representatives.

Monday Morning March 5th 1877.

The House met pursuant to adjournment at 9 oclock a.m.

The Clerk called the roll and the following members answered to their names, Messrs:

Allen
Avera
Barnett
Berry
Blackenship
Brock
Brown
Chaney
Cobb
Coleman, of Clark
Coleman, of Phillips
Cotham
Dunbage
Davis, of Pope
Davidson
Duncan
Dunagin
Dunham
Eagle
Ebberson
Fann
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Saline
Harrison, of Yell
Hendlee
Hearn
Hunter
Jacks
Jennings
Jones
Lawhon
Lee
Maynard
Matthews
McHenry
McKennon
McLeod
McRae
Miller
Morgan
Morton
Murphy
Pearce
Peevey
Peeples
Poynor
Price
Ratcliffe
Reid
Rice
Robeson
Sams
Sawyer
Smith
Stanley
Stinson

Stubbs
Tate
Thomason
Wafford
Walker
Warren of Crawford
Warren of Union
Watson
Weaver
Wells
Whitson
Wilson
Williams, Hot Springs
Williams, Mississippi
Williamson
and Mr Speaker.

The following members failed to answer to their names at the call of the roll, viz:

Andrews
Best
Braley
Cunningham
Davis of Searcy
Donohoo
Dorsey
Hall
Martin of Faulkner
Martin of Dallas
Mooney
Priddy
Rector
and Thomas

14.

A quorum announced as present.

Prayer by the Chaplain.

The Journal of Saturday last was then read by the Clerk and there being no objection thereto, was approved, and signed by the Speaker and the Clerk.

On motion of Mr Lee,
Mr Davis of Searcy was granted leave of absence for the day.

On motion of Mr Watson,
Mr Rector was granted leave of absence until tomorrow.

On motion of Mr Williamson,
Mr Andrews was granted an indefinite leave of absence on account of indisposition.

On motion of Mr Williams of Hot Springs,
Mr Martin of Faulkner was granted leave of absence on account of sickness.

On motion of Mr Whitson,
Mr Mooney was granted leave of absence for the day.

On motion of Mr Lanhage,
George Edwin Page, was granted leave of absence for the day.

Mr Best appeared within the Hall of the House and answered to his name.

Mr Berry asked leave to call up S.B. No 155, and present a substitute therefor.

Mr Fishback moved to postpone the special order for 10 minutes, to enable Mr Berry to call up S.B. No 155,
Upon which motion,
A division of the House was ordered in which 53 members voted in the affirmative and 5 members voted in the negative,
And,
the special order being postponed.

Senate Bill No 155, was taken up,
And,
Mr Berry introduced a Substitute for the same,
Sub: for S.B. # 155
Which was read the first time,

On motion of Mr Fishback,
the rules were suspended, and the substitute for S.B. No 155, was read the second time,

Mr Reid moved the adoption of the Substi=

tute in lieu of the original bill.

Upon which motion,
a division of the House was ordered when 43 members voted in the affirmative and 16 members voted in the negative.

So the Substitute for S.B. No 155. was adopted in lieu of the original bill.

On motion of Mr Fishbeck,

The Substitute for Senate Bill No 155.
was then made the special order for 9:30 Oclock A.M. on tomorrow.

Mr Farr moved to postpone the next special order of the day for ten minutes.

Objections being made thereto,
A division of the House was ordered, when (only 17 members voting therefor)

the motion was lost.

And,

S.B. No 80. Senate Bill No 80. the special order for 9:30 Oclock a.m. entitled "A Bill for an act to be entitled an act to provide for the publication of a statement of the receipts and expenditures of the public money."

Was then taken up and read the third time and placed on its final passage.

The question then being,

Shall the bill pass?

The Clerk called the roll and the following members voted in the affirmative, Mess.

Allen	Driskill
Blankenship	Dunham
Chaney	Fishback
Coleman, of Phillips	Fisher
Davis, of Pope	Gardner

Gibson
Gray
Harrison, of Saline
Harrison, of Yell
Hendlee
Hearn
Hervey
Hunter
Jacks
Lawson
Lee
Maynard
McHenry
McKenzie
Miller

and

Ratcliffe
Reid
Robeson
Sanne
Stanley
Stubblefield
Tate
Thomason
Walker
Watson
Weaver
Wells
Whitson
Williams, Mississippi.
Williamson.

40.

The following members voted in the negative,
Messrs:

Avera
Barnett
Berry
Best
Brock
Brown
Cobb
Cotham
Davidson
Duncan
Eagle
Ebberson
Fann
Floyd
Foster
Jennings
Jones
Matthews
McLeod

McRae
Morgan
Morton
Murphy
Pearce
Peeney
Peoples
Poynter
Price
Rice
Sawyer
Stinson
Wofford
Warren, of Crawford
Warren, of Union
Wilson
Williams, Hot Springs

and

Mr Speaker.

37.

In the affirmative 40.
In the negative 37.
Absent and not voting 15.

So the bill passed.

The question then being,
Shall the title remain as in the bill?
The same was put,
And the original title was adopted.

Pending the last vote,
Mr Mooney and Mr Peoples appeared within the bar of the House and answered to their names.

Mr Davidson moved to postpone the next special order so as to call up House Bill No-
Which was not agreed to.

Mr Botham Chairman of the Committee on Enrolled Bills submitted the following report:
Mr Speaker:
Your Committee on Enrolled Bills have the honor to report that we have examined S.C.R. No 8. and find the same correctly enrolled, and the same has been signed by the Speaker of the House, and the President of the Senate, and delivered to His Excellency- the Governor, for his consideration, on the 3rd of March 1877.

The report was received.

Mr Mahaney gave notice that he would move a reconsideration of the vote by which substitute for S.B. No 155. was adopted.

Substitute for House Bill No 189. the next
H.B. #189. special order for the day.
Was then taken up.
and
On motion of Mr McKennon
the substitute was adopted in lieu of the

original bill.
Add.

On motion of Mr McKennon, the Substitute for House Bill No 187, was read the third time and placed on its final passage.

The question then being:
Shall the substitute for HB 13, No 187, pass?

The ayes and nays were ordered, and the following members voted in the affirmative.
Messrs:

Allen	Hunter
Avera	Jacks
Barnett	Jennings
Best	Jones
Blankenship	Lawson
Brown	Lee
Cabb	Maynard
Cotham	Matthews
Cubage	McHenry
Davis, of Pope	McKennon
Davidson	McLeod
Duncan	McRae
Dunagin	Miller
Durham	Morgan
Eagle	Morton
Ellerson	Murphy
Farr	Pearce
Fisher	Peeney
Floyd	Peoples
Foster	Poyner
Gardner	Price
Gibson	Ratcliffe
Gray	Reid
Harrison, of Salina	Rice
Headlee	Robeson
Hearn	Sams
Heavey	Sawyer

Smith
Stanley
Stinson
Stubbs
Tate
Thomason
Walker
Warren, of Crawford
Warren, of Union
Watson
Weaver
Wells
Whitson
Wilson
Williams, Mississippi.
Williamson
Fishback
Berry
and
Mr Speaker. 73.

Mr Chaney was excused from voting.

In the affirmative	73.
In the negative	00
Excused from voting	1
Absent and not voting	18
	92.

So the Substitute for House Bill No 187. was passed.

The question then being:
Shall the title remain as in the bill?
The same was put;
and the original title was adopted.

A message from the Senate by Col Jacob Frolich who appeared within the Hall of the House and read as follows:

Senate Chamber,
March 3rd 1877.

Mr Speaker:

I am instructed by the Senate to inform your honorable body of the passage by the Senate of S.B. No 134. "An Act to prescribe the form of county warrants."
Also, S.B. No. 163. "A Bill for an act to be entitled, an act to authorize the confinement of persons charged with

capital offenses, in the State Penitentiary in certain cases"

Also. S.B. No 69. "An Act authorizing the County Court of Pulaski County to equalize and amend the assessment of Real Estate made in 1876."

Also. S.B. No 30. "A Bill for an act to provide for the compensation of Appraisers of Real Estate Bank Lands in certain cases."

Also. S.B. No 105. "To be entitled an act for the relief of Jos. Dorsett."

Also. S.B. No 38. "An Act to amend Section 9. of an act entitled an act to regulate the licensing of dram shops and for other purposes- Approved May 30th 1874."

And herewith respectfully transmit the same.

By unanimous consent the rules were suspended to enable Mr Chaney to make the motion that all local bills be made the special orders for 7 Oclock P.M. of this day.

Which motion was adopted.

Senate Bill No. 117. the special order for 10 Oclock of this day.

Was then taken up. and,

S.B. No 117. On motion of Mr Morgan S.B. No 117. entitled "A Bill to be entitled an act to prevent the sale of wines or alcoholic liquors within a distance of three miles of the Town of El Dorado in the County of Union." Was read the third time and placed on its final passage,

The question then being.

Shall the Bill pass?

The ayes and nays were ordered when the following members voted in the affirmative. Messrs

Avera
Barnett
Berry
Blankenship

Cottaw
Brown
Chaney
Davis of Pope
Davidson
Duncan.
Dunaqin
Eagle
Farr
Fishback
Fisher
Forlow
Gardner
Gibson
Gray
Harrison of Saline
Headley
Henry
Hurley
Jacks
Jennings
Jones
Lawhon
Maynard
Matthews
McHenry
McKennon
McLeod
McRae
Morgan
Morton
Murphy
Pearce
Peevey
Peoples
Poynter
Price
Ratcliffe
Reid
Rice
Sams
Sawyer
Smith
Stanley
Stinson
Stubbs
Tate
Thomason
Walker
Warren of Crawford
Warren of Union
Watson
Weaver
Williams Hot Springs
Williams Mississippi
Williamson
and
Mr Speaker

61

The following members voted in the negative
Messrs. Allen
Best
Brock
Cobb
Cubage
Dunham
Ebbesson
Floyd
Heam
Milor
Roleson
Wells
Whitson
and Wilson

14

On the affirmative

61

Forward	67
In the negative	14
absent and not voting	16
	92

So the Bill passed

The question then being.
Shall the title remain as in the Bill

The Same was put, and the original title was adopted.

Mr Miller moved that the Special order be postponed in order to take up House Bill No.

Which was not agreed to, only 18 members voting therefor, in a division of the House.

Sub for H B 117

The Substitute for House Bill No 117. the Special order, was then taken up and on Motion of Mr Davis of Pope the bill was read for information.

On Motion of Mr Fishback it was ordered that the Bill be considered by sections.

And the first section having been read.

Mr Walters moved that the Substitute for House Bill be read the third time and placed on its final passage.

Which was ruled out of order

Mr McRae then moved to amend the first section by striking the words "who shall act as Ex Officio Adjutant General." thereupon

Which amendment was rejected

Mr Farr then moved to amend the first section by striking out "$125 per Month and insert $175= in lieu thereof as the Salary of the Private Secretary.

The question then being on the adoption of the amendment of Mr Farr.

Mr Reid moved the previous question

The question then being.

Shall the main question be now put?

a division of the House was ordered thereon, in which 43 members voted in the affirmative and 4 Members voted in the negative.

So the main question was ordered

The question then being on the adoption of the amendment.

Mr Warren of Crawford called for the ayes and Nays and the call was sustained

The clerk called the roll when the following members voted in the affirmative. Messrs.

Barnett	McRae
Cubage	Morgan
Davis, of Pope	Peevey
Farr	Peoples
Gibson	Ratcliffe
Headlee	and
Hervey	Stinson 13.

The following members voted in the negative, Messrs:

Allen	Davidson
Avera	Duncan
Berry	Dunagin
Best	Durham
Blankenship	Eagle
Brock	Ebberson
Brown	Fishback
Chaney	Fisher
Cobb	Floyd
Coleman, of Clark	Foster
Coleman, of Phillips	Gardner
Cotham	Gray

Harrison, of Saline		Rice
Harrison, of Polk		Robeson
Hearn		Sams
Hunter		Sawyer
Jacks		Smith
Jennings		Stanley
Jones		Stubbs
Lawhon		Tate
Lee		Thomason
Maynard		Wafford
Matthews		Warren, of Crawford
McHenry		Warren, of Izard
McKennon		Watson
McLeod		Weaver
Milam		Wells
Morton		Whitson
Murphy		Wilson
Pearce		Williams, Hot Spring
Rayner		Williams, Mississippi
Price		Williamson
Reid	and	Mr Speaker. 66.

In the affirmative 13.
In the negative 66.
Absent and not voting 13
92.

So the amendment was rejected.

A message from the Governor by his Private Secretary Genl James M. Pomeroy who appeared within the bar of the House and read as follows:

State of Arkansas.
Executive Office
Little Rock March 3rd 1877.

To the Speaker of the House of Representatives:
Mr Speaker:

I have this day approved and signed H. C. R. 8. A Concurrent Resolution providing

for the filling of vacancies in the Board of Trustees of the Arkansas Industrial University.

W R Miller.
Governor.

A message from the Senate by its Secretary, Col Jacob Trulock who appeared within the Hall of the House and read as follows:

Senate Chamber.
March 5th 1877.

Mr Speaker:

I am instructed by the Senate to inform your honorable body of the passage by the Senate, of S. B. No 167. "a Bill for an act to be entitled an act to appropriate money for additional buildings and walls of Penitentiary."

Also, S. B. No 170. "An act to suspend the copying, publishing and printing the Journals of the General Assembly for the year 1877."

Also, that the Senate recedes from its amendment to H. B. No 6. to which the House objected, and which subject was referred to a Joint Committee, and insert in lieu thereof those words: Insert "four" in lieu of "three" in line 15. Sec 2. and after the word "dollar" in same line, same section, insert: "for the year 1877; and after that time three and one half mills on the dollar."

and herewith respectfully transmit the same.

Mr Latham moved that the Speaker be authorized to appoint 2 Pages to act in place of the Pages absent on leave.

Which was not agreed to.

The second section of Substitute for H. B. No 117. was then read.

Mr Fishback moved to amend the section

by striking out all of the same after the words "$100.00 per month"

Mr Stubbs moved to amend the amendment by excepting "one janitor at $50.00 per month".

The question then being,
On the adoption of the amendment to the amendment.

Mr Ivers moved the previous question.

The question then being,
Shall the main question be now put?

The same was put,
And the main question was ordered.

The question then being,
On the adoption of the amendment to the amendment,

The same was put,
And the amendment to the amendment was rejected.

The question then being,
On the adoption of the amendment of Mr Fishback,

Alr Jacks moved to amend the amendment by striking out "$100- for 1st Clerk" and inserting "one 1st Clerk with a salary of $75- per month" and striking out altogether "one other clerk with a salary of $75- per month".
which was decided out of order.

The question then being,
On the adoption of the amendment of Mr Fishback,

The same was put,
And,

Mr Fishback called for the ayes and nays

and the call was sustained.

On a call of the roll the following members voted in the affirmative: Messrs:

Allen
Brock
Chaney
Duncan
Dunagin
Fishback
Fisher
Floyd
Foster
Harrison, of Salem
Harrison, of Nell
Hunter
Jacks
Jennings
Jones
Lawhon

Lee
Maynard
McKinnon
Miller
Murphy
Nelson
Sams
Stanley
Stubbs
Tate
Wafford
Walker
Weaver
Wells
Whitson

and Williams, Mississippi 32

The following members voted in the negative:

Messrs:

Avera
Barnett
Berry
Best
Blankenship
Cobb
Coleman, of Clark
Coleman, of Phillips
Cotham
Eubanks
Davis, of Pope
Davidson
Durham
Eagle
Ebbenson
Farr
Gardner

Gibson
Gray
Hearn
Hervey
Matthews
McHenry
McLeod
McRae
Morgan
Morton
Reeves
Peoples
Poynter
Price
Ratcliffe
Reid
Rice

Sawyer
Smith
Stinson
Thomason
Warren, of Crawford
Warren, of Union

In the affirmative 32.
In the negative 45.
Absent and not voting 15
92.

So the amendment was rejected.

Watson
Wilson
Williams, Hot Springs
Williamson
and
Mr Speaker 45.

Mr Jacks then moved to amend the second section by striking "$100.00 for salary of first clerk" and insert "$75.00" in lieu thereof.

Upon which motion.

A division of the House was ordered when 25 members voted in the affirmative and 37 members voted in the negative.

So the amendment was rejected.

Mr Avera moved that the bill be read the third time and placed on its final passage.

Which motion was ruled to be out of order.

Mr Harrison, of Yell, then moved to amend the second section by striking out all of the same after the word "months" in the third line thereof.

Which motion was ruled out of order.

Mr Stubbs then moved to amend by striking out $20 as pay for janitor and to insert $10 in lieu thereof.

Which motion was ruled to be out of order.

The third section of the bill was then read.

Mr Blankenship moved to amend the same by striking out "two Clerks with a salary of $75.00 per month."

Upon which motion.

A division of the House was ordered when 31 members voted in the affirmative and 35 members voted in the negative.

So the amendment was rejected.

Mr Jacks then moved to amend the section by striking out "one Cashier with salary of $125.00 per month" and in the third line strike out "2 Clerks with a salary of $75.00 per month" and insert "one Clerk with a salary of $75.00 per month" in lieu thereof.

Upon which motion.

a division of the House was ordered when 24 members voted in the affirmative and 42 members voted in the negative.

So the amendment was rejected.

Mr Stinson moved to amend the 2nd line thereof by striking out "$125.00 as the salary of the Cashier and to insert "$150.00" in lieu thereof.

Upon which motion.

Mr Fishback called for the ayes and nays and the call was sustained.

The Clerk called the roll when the following members voted in the affirmative, Messrs:

Coleman, of Phillips
Dorsey
Pedder
and
Stinson

4.

The following members voted in the negative, Messrs:

Allen
Avera
Berry
Best
Blankenship
Brooks
Brown
Chaney
Cobb
Coleman, of Clark
Cotham
Driver

Davis, of Pope
Davidson
Duncan
Dunagin
Dunham
Eagle
Ebberson
Farr
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Saline
Harrison, of Yell
Headley
Hearn
Hunter
Jacks
Jennings
Jones
Lawhon
Lee
Maynard
Matthews
McKennon
McHenry
McLeod
McRae
Milam
Morgan
Morton
Murphy
Pearce
Penney
Poynter
Ratcliffe
Reid
Rice
Roberson
Sain
Sawyer
Smith
Stanley
Stubbs
Tate
Thomason
Wofford
Walker
Warren, of Union
Watson
Weaver
Wells
Whitson
Wilson
Williams, Hot Spring
Williams, Mississippi
Williamson
and

Mr Speaker 73.

In the affirmative 4.
In the negative 73.
Absent and not voting 15
92.

So the amendment was rejected.

Mr Berry then moved that the further con-

sideration of the bill be indefinitely postponed.
Which motion was rejected.

Mr Jennings then moved to amend the section by striking out "two clerks with salary of $75.00 per month" and insert "one clerk with salary of $75.00 per month." in lieu thereof.
Upon which motion
a division of the House was ordered, when 31 members voted in the affirmative and 31 members voted in the negative.
So the amendment was rejected.

The fourth section of the bill was then read.

Mr Jacks then moved to amend the section by striking out "one second Clerk with a salary of $100.00 per month" and by striking out "two Clerks with a salary of $75.00 per month" and inserting "one Clerk with a salary of $75.00 per month" in lieu thereof.
Which amendment was rejected.

Mr Reid moved that the bill be read the third time and placed on its final passage.
Which motion was rejected.

Mr Davis of Pope offered the following amendment to the bill:
"I move that an additional section be added as follows to wit:
"That the Attorney General be empowered to employ a Clerk at the salary of 75 dollars per month."

Mr Reid moved to amend the amendment by striking out "75 dollars" and inserting "50 dollars" in lieu thereof.
Upon which motion
a division of the House was ordered.

in which 35 members voted in the affirmative and 32 members voted in the negatives.

So the amendment to the amendment was adopted.

The question then being on the adoption of the amendment of Mr Davis of Pope.

Mr Fishback called for the ayes and nays and the call was sustained.

The Clerk called the roll and the following members voted in the affirmative, Messrs:

Avera	McHenry
Barnett	McKennon
Best	McRae
Blankenship	Morgan
Brown	Pearce
Chaney	Peebler
Cobb	Price
Coleman, of Phillips	Ratcliffe
Davis, of Pope	Reid
Duncan	Rice
Dunagin	Sawyer
Dunham	Stanley
Farr	Stinson
Floyd	Warren, of Union
Gibson	Wilson
Harrison, of Mell	Williams, Hot Spring
Hearn	Williams, Mississippi
Hervey	Williamson
Hunter	and
Matthews	Mr Speaker. 39.

The following members voted in the negatives, Messrs:

Allen	Davidson
Berry	Eagle
Brock	Ebberson
Coleman, of Clark	Fishback
Cothan	Fisher

Foster		Payner	
Gardner		Robeson	
Gray		Sams	
Harrison of Saline		Smith	
Jaske		Stubbs	
Jennings		Tate	
Jones		Thomason	
Lawhon		Walker	
Lee		Warren of Crawford	
Maynard		Watson	
McLeod		Weaver	
Miles		Wells	
Morton		and	
Murphy		Whitson.	37.

On the affirmative	39.
On the negative	37.
Absent and not voting	16
	92.

So the amendment was adopted.

Mr Harrison of Nell moved to amend the bill by striking out "Janitor" wherever it occurs in the bill.

Mr Eagle moved to amend the amendment by fixing the salary of Janitor at "$10.00" instead of "$20.00" except the "Governors Janitor."

The question then being:

On the amendment of Mr Eagle to the amendment offered by Mr Harrison of Nell.

The same was put.

And the amendment to the amendment was rejected.

The question then recurring on the amendment of Mr Harrison of Nell.

Mr Harrison of Nelson called for the ayes and nays.

Which call was not sustained. (only 4 members voting therefor).

Mr Stubbs then moved to amend the bill by striking out Section 5. and inserting the following in lieu thereof:

"5 The office of Commissioner of State Lands is hereby abolished, and all business and papers connected with said office, are hereby transferred to the office of the Auditor"

The question being on the adoption of the amendment of Mr Stubbs

Mr Chaney called for the ayes and nays and the Call was sustained

The Clerk called the roll when the following members voted in the affirmative. Messrs

Berry	Miller
Resh	Murphy
Chaney	Price
Eagle	Rice
Ebbeson	Roberson
Fishback	Sams
Fisher	Stubbs
Foster	Thomason
Gray	Wofford
Harrison of Saline	Walker
Jacks	Warren of Lawrence
Jennings	Wells
Lee	and
Maynard	Whitson 27

The following members voted in the Negative. Messrs

Allen	Brock
Avera	Cobb
Barnett	Coleman of Clark
Blankenship	Coleman of Phillips

Cotham	McRae
Cubage	Morgan
Davis of Pope	Morton
Davidson	Pearce
Duncan	Peoples
Dunagin	Poyner
Durham	Ratcliffe
Farr	Reid
Floyd	Sawyer
Gardner	Smith
Gibson	Stanley
Harrison of Yell	Stinson
Headlee	Tate
Heath	Warren of Union
Hervey	Watson
Hunter	Weaver
Jones	Wilson
Lawhon	Williams Hot Springs
Matthews	Williams Mississippi
McHenry	and
McKennon	Mr
McLeod	Speaker 57

Before the vote was announced Messrs Robeson and Wofford changed their votes from nay to aye.

In the affirmative	27
In the negative	57
Absent and not voting	14
	92

So the amendment was rejected

A Message from the Senate by its assistant Secretary C H Wood who appeared within the Hall of the House and read as follows.

Senate Chamber
March 5th 1877

Mr Speaker

I am instructed by the Senate to inform

your Honorable body of the passage by the Senate of S B No 61 "A Bill to be entitled an ack in relation to evidence in Criminal prosecutions and in all proceedings in the nature of Criminal proceedings.

Also S B No 171. "An ack to refund money erroneously paid into the State Treasury".

Also H B No 35. "An ack to amend Section 70 of an ack entitled an ack fixing the regular terms for holding the County Courts of the State, and fixing the Salaries of the County Judges of the Several Counties in this State approved February 5th 1875."

Also, the Concurrence by the Senate to House amendment to Senate Bill No 12. An ack to authorize the Several Counties of this State to fund the outstanding indebtedness evidenced by bonds of said Counties heretofore issued" viz: by striking out in Section 3. the words "or such other place as said counts in their discretion may determine upon."

S C No 12

and herewith respectfully transmit the same.

The 5th Section of Substitute for H. B. No 117 was then read.

Mr Rolleson moved to amend Section 5, by striking out "3 Clerks" and inserting "one Clerk" in lieu thereof.

upon which motion, A division of the House was ordered, when 26 members voted in the affirmative, and 37 members voted in the negative.

So the amendment was rejected.

Mr Eagle moved to amend by striking out "3 Clerks at a salary of "750" and inserting "2 Clerks" at a salary of 75 dollars per month in lieu thereof, in Section 5. of said bill,

upon which motion, A division of the House was ordered in

which 37 members voted in the affirmative, and 32 members voted in the negative.

So the amendment was adopted.

Mr Reid moved that the bill be indefinitely postponed.

But withdrew the same.

Mr Eagle moved that the bill be engrossed and made the special order for 3 Oclock P.M. of this day.

Which motion was adopted.

Mr Lawhon moved that the House take a recess until 2:30 oclock P.M.

Which motion was not agreed to.

On motion of Mr Watson,

House Bill No 6. was taken up, and the second amendment of the South thereto, to wit: "strike out three mills" for sinking fund". and inserting "four mills" in lieu thereof, for the year 1877 and after that time three and one half mills on the dollar

Was read, and On motion of Mr Watson, was concurred in by the House.

H.B. No 6

Mr Best moved that the House take a recess until 2 Oclock P.M.

Which motion was declared to be out of order.

On motion of Mr McRae, the special order was postponed,

and,

By unanimous consent Mr McRae introduced a bill entitled "A Bill to be H.B. No 212. entitled an act to provide for the employment

and hiring of convicts, and prescribing the duties and fees of officers charged therewith."

Which was read the first time.

On motion of Mr McRae,

the rules were further suspended, and the bill was read the second time, and made the special order for 10 o'clock a.m. on tomorrow.

Mr Davis of Pope, moved that the House take a recess until 2 o'clock P.M.

Which was not agreed to.

Mr Warren, of Crawford, moved to call up the Contested Election case of Pulaski County, and that the same be made the special order for 7:30 o'clock P.M. on tomorrow.

upon which motion

A division of the House was ordered, in which 38 members voted in the affirmative and 9 members voted in the negative.

So the motion was adopted.

Mr Davis of Pope, moved that the rules be suspended, in order to take up House Bill No 5.

Upon which motion, a division of the House was ordered, when 43 members voted in the affirmative, and 9 members voted in the negative.

So the motion was adopted.

Mr Stubbs rose to a question of privilege and presented a petition from J E Willing, and asked that the said petition be referred to the Committee on the Judiciary without reading.

Which was declared to be out of order.

Mr Williams, of Hot Springs moved that the House take a recess until 2 Oclock P.M.;
Which motion was not agreed to.

House Bill No 5. was then taken up, and the substitute therefor was read the first time; and,

On motion of Mr McRae,
the rules were suspended, and the substitute was read the second time,

Mr Berry moved that the substitute for H.B No 5. be adopted, in lieu of the original bill.
Which motion was adopted.

Mr McRae moved to amend the substitute by striking out Section 3. of the substitute Bill,
which motion was adopted.

Mr Dunagin renewed the motion to take a recess until 2:30 Oclock P.M.,
Upon which motion,
A division of the House was ordered in which 33 members voted in the affirmative and 24 members voted in the negative, and,

At 12:50 Oclock P.M, the House took a recess until 2:30 Oclock P.M.

After the Recess.

The Speaker called the House to order at 2:30 Oclock P.M.

The Clerk called the roll and the following members answered to their names:

Allen
Arora

Barnett
Berry

Best
Blankenship
Brack
Chaney
Cobb
Coleman, of Phillips
Cotham
Cubage
Cunningham
Davis, of Pope
Davidson
Dunagin
Dunham
Eagle
Ebberson
Fann
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Saline
Harrison, of Mell
Headley
Hearn
Hennessy
Hunter
Jacks
Jennings
Jones
Lawson
Lee
Maynard
Martin, of Faulkner
Matthews
McHenry
McKennon
McLeod
McRae
Mooney
Morgan
Morton
Murphy
Pearce
Peevey
Peebles
Poyner
Price
Ratcliffe
Reid
Rice
Robeson
Sain
Sawyer
Smith
Stanley
Stubbs
Tate
Thomason
Wofford
Walker
Warren, of Crawford
Weaver
Wells
Whitson
Williams, Scott-Sponge
Williams, Miss. Co.
Williamson
and
Mr. Speaker. 75.

The following members failed to answer to their names at the end of the roll call:

Messrs.

Andrews
Braley
Brown
Coleman, of Clark
Davis, of Searcy
Donohoo
Duncan
Hill
Martin, of Dallas
Miller
Priddy
Reeton
Stinson
Thomas
Warren, of Union
Watson
and
Wilson

17.

A quorum announced as present.

The Speaker stated that it having been suggested that it was necessary to take an aye and nay vote on the concurrence of the House in Senate amendments to House Bill No 6.

6

On motion,

House Bill No 6. was then taken up.

The question then being, Shall the House concur in the amendments of the Senate thereto?

The ayes and nays were ordered when the following members voted in the affirmative, Messrs:

Allen
Avera
Barnett
Berry
Best
Blankenship
Brooks
Brown
Chaney
Cobb
Coleman, of Phillips
Cothren
Eubank
Cunningham
Davis, of Pope
Davidson
Duncan
Dunaway
Dunham
Eagle
Ebberson
Fann
Fishback
Fisher

also SB No 72.,
An act to prevent unjust discrimination and excessive charges by the different Rail Roads of this State for transporting freight=

also SB No 164
An act entitled an act declaring valid certain deeds and for other purposes,

also SB No 143.
A Bill for an act for the relief of Chesley Payne of Jackson County

also SB No 108,
An act to be entitled an act to amend an act entitled an Act to regulate the labor System=

also SB No 154
A Bill for An act to amend an act entitled An Act to amend Sections 601 & 602 of Gantts Digest and to limit the power of County Courts and Agents to make Contracts and Regulate appropriations

also SB No 136.
An act to amend Section 4129. of the Revised Statutes of the State of Arkansas,

also SB No 135
An act providing before whom affidavits may be made by application for donation of land

also Substitute for SB No 131.
An act to be entitled an act to amend an act to provide for the appointment of Notaries Public in this State

Also S B No 168

A Bill for an
Act to be entitled an act to Provide
for the Compensation of the elected members
of the State Board of Finance

Also

H B No 18

A Bill to
be entitled an act to amend Section 1936
Chapter 43 of Gantts Digest to establish
uniformity of Argument of counsel in
Criminal and Civil Cases

Also

H B No 194 = An Act
to reduce the expense of conveying convicts
to the Penitentiary

The Speaker retired
from the Chair, whereupon Mr Avera
resumed the Chair
and,

After some time spent in consideration
of the Bill the Committee rose and through
its Chairman reported the Bill back with
the recommendation that the same pass.

Mr Fishback moved to amend the bill
by striking out "$40,000." for Contingent for Governor and
inserting in lieu thereof "$20,000," and called
for the Ays and Nays thereon, and the call
was obtained.

Mr Headlee moved the previous question
the question then being, Shall the main
question be now put?

A division of the House was ordered
when 25 members voted in the affirmative
and 28 members voted in the negative

So the previous question was lost.

Mr Davis of Searcy appeared within the hall of the House and answered to his name

The question then being on the adoption of the amendment of Mr Fishback and after debate thereon

Mr Gardner moved the previous question

The question then being,
Shall the main question be now put

The same was put—
And the main question was ordered

The question then being on the adoption of the amendment offered by Mr Fishback,

Mr Fishback called for the ayes and Nays and the call was sustained,

The clerk called the roll and the following members voted in the affirmative
Yeas

Berry	Fisher
Bestt	Floyd
Brock	Gibson
Brown	Gray
Chaney	Harrison of Saline
Cunningham	Harrison of Yell
Davidson	Jacks
Duncan	Jennings
Dunagin	Jones
Eagle	Lawhon
Ebbeson	Maynard
Fishback	McHenry

Nolor
Roleson
Smith
Stanley
Stubbs
Tate
Thomason
Trofford
Warren of Crawford
Weaver
Wells
Whitson
and
Williams of Mississippi
39—

The following members voted in the negative= Messrs

Allen
Avera
Barnett
Blankenship
Cobb
Coleman of Phillips
Cotham
Cubage
Davis of Pope
Davis of Searcy
Durham
Farr
Foster
Gardner
Headlee
Hearn
Harvey
Matthews
McKennon
McLeod
McNar
Mooney
Morgan
Morton
Pearce
Peoples
Poynor
Price
Ratcliffe
Reid
Rice
Sawyer
Stinson
Warren of Union
Wilson
Williams of Hot Spring
Williamson
Mr Speaker
38—

In the affirmative 37:
In the Negative 38:
Absent and not voting 17:

92

So the amendment was rejected

Mr Avera moved to amend paragraph 25th in line 60 of section 1 by striking out

"five hundred dollars" and inserting in lieu thereof the words "One thousand dollars", and the following words to wit: "and Journal of the present House of Rep-resentatives

upon which motion a division of the House was ordered in which 30 members voted in the affirmative and 28 members voted in the negative

So the motion was adopted.

Mr Fishback moved to amend by striking out all of the 31st paragraph

Upon which motion a division of the House was ordered in which 41 members voted in the affirmative and 18 members voted in the negative

So the motion was adopted, and the 31st paragraph was stricken from the bill

Mr Fishback then moved to further amend by striking out in the 32nd paragraph in line 80 of section 1 the words "fifty thousand dollars" for all printing to be done by the State, and inserting "thirty thousand dollars" in lieu thereof

but withdrew the same.

Mr Farr moved to amend the 32nd paragraph in line 80 of section 1 by adding the word "binding" after the word "printing"

but withdrew the same

Mr Chaney moved to amend by striking out the words "and contingent" wherever they occur in the bill

Mr Berry moved the previous question

The question then being,
Shall the main Question be now put?

The same was put
And the main question was ordered

The question then being on the adoption of the
amendment of Mr Chaney

Mr Durham called for the ayes and Nays

The clerk called the roll, and the following
members voted in the affirmative.

Messrs

Berry	Jacks
Best	Jennings
Chaney	Lawhon
Cunningham	Lee
Davis of Searcy	Milor
Davidson	Robeson
Fisher	Stubbs
Floyd	Warren of Crawford
Gibson	Weaver
Gray	Wells
Harrison of Saline	Wyatt
Harrison of Yell	Whitson

23;

The following members voted in the negative

Messrs

Allen	Damaging
Avera	Durham
Barnett	Eagle
Brock	Farr
Brown	Fishback
Cobb	Foster
Coleman of Phillips	Gardner
Cotham	Keaton
Cubage	Kenney
Davies of Pope	Kimbrell
Duncan	Maynard

Matthews
McHenry
McKenzie
McLeod
McRae
Mooney
Morgan
Morton
Pearce
Peoples
Poyner
Price
Ratcliffe
Reid
Rice
Sawyer
Smith
Stanley
Stinson
Tate
Thomason
Warren of Union
Watson
Wilson
Williams Hot Springs
Williams Mississippi
Williamson
Mr Speaker
50=

In the affirmative 23
In the Negative 50
Absent and not voting 19
92

So the amendment was rejected

HB #202: Mr Eagle moved to recommit the bill to the Committee on Ways and Means with instructions to report same back to morrow morning

Which motion was rejected.

Mr Avera moved to amend the 14th paragraph in line 36 of Section 1. by striking out the words "eight hundred and seventy dollars and inserting "fifteen hundred Dollars" after the words "for Salaries and Contingent expenses of the office of Superintendent of Public Instruction"

Upon which motion a division of the House was ordered, when 29 members voted in the affirmative and thirty members voted in the negative,

So the motion was rejected

Mr Eagle moved to amend by striking out all paragraph 38 of Section 1=

Upon which motion a division of the House was ordered, when 40 members voted in the affirmative and 11 members voted in the negative

So the motion was adopted

Mr Harrison of Yell moved to amend Paragraph 19 in line 47 of section 1, by striking out the words "$1800.00" and inserting "$800.00" in lieu thereof for rent of the Governors Mansion

Mr Gardner moved the previous question

The question then being,
Shall the main question be now put?

The same was put
And the main question was ordered.

The question then being
On the adoption of the last amendment
the same was put.

Mr Chaney called for the ayes and nays and the call was sustained-

Upon a call of the roll, the following members voted in the affirmative
Messrs

Chaney	Jacks
Coleman, of Clark	Jones
Cunningham	Lawhon
Davis, of Searcy	Lee
Davidson	Milam
Ebberson	Price
Fisher	Watson
Harrison, of Saline	and
Harrison, of Yell	Whitson 17.

The following members voted in the negative

Messrs. Allen
Avera
Barnett
Berry
Best
Brock
Brown
Cotham
Embage
Davis, of Pope
Dunagin
Dunham
Eagle
Farr
Fishback
Foster
Gardner
Gibson
Gray
Hearn
Hervey
Hunter
Jennings
Maitland
Matthews
McHenry
McKennon
McLeod
McRae
Mooney
Morgan
Morton
Pearce
Pilkey
Peoples
Rainey
Ratcliffe
Reid
Rice
Roleson
Sawyer
Smith
Stanley
Stubbs
Tate
Thomason
Warren of Crawford
Weaver
Wilson
Williams Hot Springs
Williams Mississippi
Williamson
And
Mr Speaker
53=

Before the vote was announced Mr Maitland changed his vote from aye to nay,

In the affirmative 17:
In the negative 53:
absent and not voting 22:
92

So the amendment was rejected

Mr Morgan moved to strike out the 1st paragraph of section 1 appropriating $20,000. to pay the expenses of the General Assembly.

Mr Lee moved to adjourn
Which motion was not agreed to

The question then recurring on the amendment of Mr Morgan to Strike out $40.000.

Mr Williams of Hot Springs called for the Ayes and Nays, and the Call was Sustained

The Clerk called the roll, and the following Members voted in the affirmative
Messrs

Cunningham	Morgan
Davidson	Roleson
Durham	Thomason
Jacks	and
Jennings	Whitson

9

And the following members voted in the Negative
Messrs

Allen	Davis of Pope
Avera	Davis of Searcy
Barnett	Dunagin
Berry	Eagle
Best	Ebberson
Brock	Farr
Chaney	Fishback
Cobb	Fisher
Coleman of Clark	Foster
Cotham	Floyd
Cubage	Gardner
	Gibson
Gray	
Harrison of Saline	
Harrison of Yell	
Headlee	
Hearn	
Henry	
Hamlet	
Jones	

Lawhon
Lee
Maynard
Matthews
McHenry
McKeithen
McLeod
McRae
Milor
Mooney
Morton
Peevy
Peoples
Poynor
Price
Ratcliffe
Reid
Rice
Smith
Stanley
Stimson
Stubbs
Tate
Warren of Crawford
Watson
Weaver
Wilson
Williams Hot Springs
Williams Mississippi
Williamson
And
Mr Speaker
61

Before the Vote was announced Messers Gray and Tate Changed their vote from Aye to No Nay

In the affirmative 9
In the negative 61
absent and not voting 22
92

So the amendment was rejected:

Mr Fishback moved that the bill be engrossed and made the Special Order for 10 o'clock am tomorrow, and moved the previous question thereon

The question then being,
Shall the main question be now put?

The same was put,
And the main question was ordered

At 6.15 o'clk pm
On motion of Mr Watson the House took a recess until 7.30 o'clock pm

After the Recess

The Speaker called the House to order at 7:30 o'clock p.m.

The clerk called the roll, and the following members answered to their names

Messrs:

Allen
Arena
Barnett
Berry
Best
Brock
Brown
Chaney
Cobb
Coleman, of Phillips
Cubage
Davis, of Pope
Davis, of Searcy
Davidson
Duncan
Dunham
Eagle
Ebberson
Fisher
Floyd
Gardner
Gibson
Gray
Harrison, of Saline
Harrison, of Yell
Headlee
Hearn
Hunter
Jennings
Jones
Maynard
McKennon
McRae
Milon
Morgan
Morton
Peevey
Peoples
Payner
Ratcliffe
Reid
Roberson
Sawyers
Smith
Stinson
Stubbs
Tate
Warren, of Union
Weaver
Whitson
Wilson
Williams, Hot Spring
Williams, Mississippi
Williamson

and Mr Speaker.

The following members failed to answer to their names at the call of the roll, Messrs:

Andrews
Blankenship
Braley
Coleman, of Clark
Cotham
Cunningham
Donahoo
Dunagin
Farr
Fishback
Foster
Harvey
Hill
Jacks
Lawson
Lee
Martin of Faulkner
Martin of Dallas
Matthews
McHenry
McLeod
Mooney
Murphy
Pearse
Price
Priddy
Rector
Rice
Sams
Stanley
Thomas
Thomason
Hafford
Walker
Warren of Crawford
Watson
Wells

57.

A quorum announced as present.

On motion of Mr Duncan
Mr McHenry was excused for the evening

On motion of Mr Ebberson
Mr Murphy was excused for the evening

Mr Headley from the Committee on Engrossed Bills submitted the following report

Mr Speaker,

The Committee on Engrossed

Bills to whom was referred H B No 117 an act entitled an Act to fix the number and salaries of clerks and employees of the different State Departments have had the same under Consideration, and after Carefully examining the same, find said Bill Correctly Engrossed

The report of the Committee was received.

By unanimous Consent the rules were suspended and Mr Reid presented a "Petition to the Honorable General Assembly of the State of Arkansas." from Mr T E Willing late sitting as Representative from Chicot County.

Which was read and on motion of mr Reid was referred to the Committee on the Judiciary

On Motion of Mr Fisher

Mr Blackwood was invited to a seat upon the floor of the House.

On Motion of Mr Berry

House Bill No 189 was then taken up and

On motion of Mr Berry the bill was read the 3rd time and placed on its final passage

Mr Watson moved that the vote by which the bill was read the 3rd time, be reconsidered.

Which motion was adopted and the same was reconsidered.

Mr Watson moved to amend the bill by adding Benton County to Franklin

Which motion was adopted

On Motion of Mr Watson
H B No 189 was then read the 3rd time and placed on its final passage

The Question then being
Shall the bill pass?

Mr Gibson Moved the previous question

The question then being
Shall the main question be now put?

The same was put, and the main question was ordered,

The question then being
Shall the bill pass?

The ayes and nays were ordered:

And the following members voted in the affirmative
Messrs

Barnett
Berry
Best
Brock
Brown
Chaney
Cobb
Davis of Pope
Davis of Searcy
Davidson
Duncan
Eagle
Edenson
Farr
Fishback
Fisher
Floyd
Foster
Gray
Harrison of Saline
Harrison of Yell
Hunter
Jennings
Jones
McKennon
McRae
Milor
Morgan
Morton
Peevey
Peoples
Poynter
Ratcliffe
Reid
Robison
Smith

Stinson
Stubbs
Tate
Watson
Weaver
Wilson
Williams

And

Williams Mississippi
44

The following members voted in the negative
Mess

Allen
Avera
Cubage
Dunham
Gardner
Gibson
Headley
Horn
Jacks
Maynard
Walker
Warren of Union
Whitson
Williamson
And
Mr Speaker
15

In the affirmative 44
In the negative 15
absent and not voting 33
92

So the bill passed

The question then being
Shall the title remain as in the bill?

The same was put
And the original title was adopted

On motion of Mr Farr
The rules were suspended and
H B No 197 was taken up

And on motion of Mr Farr
H B No 197
H B # 197
Entitled An act to define the
boundary lines of the City of Little Rock Arkansas
Was read the third time and passed

on its final passage

The question then being
Shall the bill pass?

The ayes and Nays were ordered
And the following members voted in the affirmative
Messrs

Allen
Avera
Barnett
Berry
Brock
Brown
Chaney
Cobb
Cubage
Davis of Pope
Davis of Searcy
Davidson
Duncan
Durham
Eagle
Foltz
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison of Saline
Harrison of Yell
Hearn
Hunter
Jacks
Jennings
Jones
Kinard
McKennon
McRae
Milor
Morgan
Morton
Peevy
Peoples
Poyner
Ratcliffe
Reid
Smith
Stinson
Stubbs
Tate
Walker
Warren of Union
Watson
Weaver
Whitson
Wilson
Williams of Hot Spring
Williams of Mississippi
Williamson

Mr Speaker
55

Mr Best voted in the negative

Mr Ebberson was excused from voting

In the affirmative 08
In the negative 11
Excused from voting 1
Absent & not voting 32
92

So the bill passed,

The question then being
Shall the title remain as in the bill

The same was put
And the original title was adopted

On motion of Mr Gibson
H B #132 H B No 132
"Entitled An act fixing the time of holding the Probate Court of Lawrence County"
Was then taken up
and

On motion of Mr Gibson the bill was read the 3rd time and placed on its final passage

The question then being
Shall the bill pass?

The clerk called the roll and the following members voted in the affirmative
Messrs

Allen
Andrews
Avra
Barnett
Berry
Best
Brock
Brown
Cheney
Cobb
Cubage
Davis of Pope
Davis of Searcy
Davidson
Duncan
Durham
Eagle
Ebberson
Farr
Fishback
Fisher
Floyd
Foster
Gardner

Gibson
Gray
Harrison of Sabine
Harrison of Yell
Hearn
Hunter
Jacks
Jennings
Jones
McKennon
McRae
Milor
Morgan
Motton
Perry
Peoples
Poynor
Priddy
Reid
Roleson
Smith
Stinson
Stubbs
Tate
Walker
Warren of Union
Watson
Weaver
Whilson
Wilson
Williams of Hot Springs
Williams of Mississippi
Williamson
Mr Speaker
58.

Mr Maynard voted in the negative

In the affirmative 58
In the negative 1
Absent and not voting 33
92

So the bill passed.

The question then being,
Shall the title remain as in the bill?

The same was put
And the original title was adopted

On Motion of Mr Eagle
Mr Gibson was granted leave of absence
for the evening

Mr Davis of Pope moved to adjourn
Which was not agreed to

Mr Barnett Chairman of the Committee on
Rail Roads, Submitted the following Report

Mr Speaker

Your Committee on Rail Roads has had A B # 210 under Consideration and Consider that the same be amended by striking out "Craighead" and that the same as so amended do pass.

Mr Gray

Submitted the following report from the minority of the Committee on Rail Roads

Mr Speaker

Your Committee on Rail Roads to whom was referred A B # 210 have considered the same, and recommend that it do not pass.

1st Because, Under the present financial condition of the State, I do not believe it good financiering to donate the property of the State for local purposes

2nd Because Justice demands that the proceeds of said Swamp and overflowed lands should be used for the best interest of the large mass of the people, and not for a corporated Company, against the interest of the masses of the people;

3rd Because I believe, if the proceeds of the Swamp and overflowed lands of the State were made a public School fund, it would be to the interest of the masses of the people all over the State.

Mr Stinson

Moved to lay the reports and bill on the table,

Upon which motion, a division of the House was ordered, in which 35 members voted in the affirmative — and 14 members voted in the negative —

So the motion to lay on the table was adopted.

On Motion of Mr Morton
HB #72
was taken up,
And the amendments
of the Senate thereto were read and concurred in
by the House

On Motion of Mr Jacks
"HB: No-98:"
House Bill No 98
Entitled, "An act to amend
the Revenue Laws of this State" - was taken up
and
On Motion of Mr Jacks the bill was read
the 3rd time an placed on its finial passage

The question then being -
Shall the bill pass?

The Ayes and Nays were ordered, and the
following members voted in the affirmative
Messrs

Allen	McRae
Avera	Morton
Barnett	Peoples
Brock	Ratcliffe
Brown	Rolison
Cobb	Smith
Cubage	Walker
Eagle	Warren of Union
Fishes	Williams of Mississippi
Foster	Williamson
Harrison of Yell	And
Hearn	
Jacks	Mr Speaker
	24

The following members voted in the negative
Messrs

Berry	Chaney
Best	Coleman of Phillips

Davis of Pope
Davis of Searcy
Davidson
Duncan
Ebbenson
Floyd
Gardner
Gray
Harrison of Saline
Hunter
Jennings
Jones
Maynard
McKennon
Milar
Morgan
Perkey
Reid
Stinson
Stubbs
Tate
Watson
Weaver
Wilson
Williams of Hot Springs

29

Before the vote was announced - Messrs Berry Best and Ebbenson changed their vote from aye to nay

In the affirmative 24
In the negative 29
Absent and not voting 39
92

So the bill was rejected

On Motion of Mr Stinson
SB # 143

S B - # 143

Entitled = a Bill for an Act for the Relief of Chesley Payne of Jackson County Arkansas
Was taken up and read the first time.
and
On Motion of Mr Stinson - the Rule was suspended and the bill was read the second time, and made the Special Order for 10 O'clk tomorrow

On Motion of Mr McRae
SB No 162

S B No 162

Entitled. "An Act to change the time of holding the Circuit Court in Dallas County"

Was taken up and read the 1st time.
And
On Motion of Mr McRae - the bill was read the Second time under a suspension of the Rules and made the Special Order of 10 o'clk on Wednesday next

On Motion of Mr Davidson
HB # 149
HB # 149 = Entitled, "A Bill for an Act to change the line between the Counties of Sharp and Izard"
Was taken up, and read the 3rd time and placed on its final passage

The question being then
Shall the bill pass?

The Ayes and Nays were ordered and the following members voted in the affirmation

Ayes 75

Allen	Harrison of Saline
Barnett	Harrison of Yell
Berry	Hearn
Best	Hinton
Brock	Jacks
Brown	Jennings
Chaney	Jones
Cobbs	Maynard
Coleman of Phillips	McKennon
Cubage	McRae
Davis of Searcy	Morgan
Davidson	Morton
Duncan	Peevy
Eagle	Peoples
Fisher	Poynter
Floyd	Ratcliffe
Foster	Reid
Gardner	Robison
Gray	Smith

Stinson
Stubbs
Tate
Walker
Warren of Union
Watson

Weaver
Whitson
Wilson
Williams of Hot Springs
Williamson
Mr Speaker
50

In the affirmative 50
In the negative —
Absent and not voting 42
92

So the bill passed.

The question then being,
Shall the title remain as in the bill?

The same was put and the original title adopted

On Motion of Mr Fisher
S J M No 1

S-J.M
No 1 =

"Asking the establishment of a postal route from Beebe in White County to Rosebud in said County" was taken up read third time and placed on its final passage.

The question then being, Shall the Memorial pass?

They ayes and Nayes were ordered and the following members voted in the affirmative
Messrs

Allen.
Barnett
Berry
Brock
Chaney
Cobb
Coleman of Phillips
Cubage
Davis of Searcy

Davidson
Duncan
Eagle
Fisher
Floyd
Foster
Gardner
Gray
Harrison of Saline

Harrison of Yell
Hearn
Hunter
Jacks
Jennings
Jones
Maynard
McKennon
McNair
Morgan
Morton
Peevey
Peoples
Poynter
Ratcliffe
Robison
Smith
Stinson
Stubbs
Tate
Walker
Watson
Weaver
Whitson
Williams of Hot Springs
Williamson
And Mr Speaker
45

Messrs Hervey and Reid voted in the negative

In the affirmative 47
In the negative 2
absent and not voting 43
92

So the Memorial passed

The question then being
Shall the title remain as in the same

The same was put
And the original title was ~~adopted~~

On motion of Mr Whitson
S B No 156=
S B #156
Entitled "a Bill to be entitled an act to extend the time for the collection of taxes on the tax books of Monroe County for 1876 until the 1st day of July 1877"
Was then taken up and read the 1st time and
On Motion of Mr Whitson the Rules were suspended and the bill was read a 2nd time and made Special order for 10 o clock to morrow.

By manimous Consent the rules were suspended
and Mr Stubbs introduced a Bill
~~to~~ "Entitled "an act to provide for the employment and hiring of County Convicts, and prescribing the duties and fees of Officers Charged therewith" which was read the 1st time and
On Motion of Mr Stubbs the rules were suspended and the bill was read a 2nd time and made the Special Order for 3 o'clock PM to morrow.

On Motion of Mr Reid
Mr Hunter was excused for the morning

Mr McKennon
was granted leave of absence at his own request.

Mr Foster Moved to adjourn
Which Motion was not agreed to

On Motion of Mr Hearn
S13 S13 Bill #129
#129 Entitled. "A Bill for an Act to be entitled an Act to authorize and direct the Commissioner of State Lands to Sell the property Known as the Arkansas Institute for the Blind- Situate in the town of Arkadelphia Clark County Arkansas
was then taken up
and
On Motion of Mr Hearn, the bill was read 1st & 2nd time.

Mr. Reid Moved to amend the bill, by providing that- "it shall be appraised by three disinterested citizens and that it shall

bring two thirds of its appraised value"
which amendment was adopted,

And on motion of Mr Heaven
the bill was made Special Order for
11 oClock to morrow

By Unanimous Consent the Rules were
suspended, and
Mr Williams of Hot Springs introduced a bill
entitled"
"A Bill to be entitled "An Act to aid
HB St Johns College in promoting Theological
#214= Research and developing the Mineral
Resources of the State"
Which was read the
1st time, and
on Motion of Mr Williams of Hot Springs the
bill was read a 2nd time and made the Special
Order for 3.30 oClk pm on to morrow

On motion of Mr Brock
SB Nº 118
SB
#118 Entitled, A Bill for an
Act to be entitled an act to define and
change the boundary line between the
Counties of Clark and Pike,
Was taken up and
read 1st time and
On Motion of Mr Brock the Rules were
Suspended and the bill read a 2nd time
and made the Special order for 8 oClk
pm tomorrow

On Motion of Mr Bassett
SB Nº 32
SB
Nº32 Entitled, "An act for
the Relief of J T Griffin & Sons"
Was Taken up
And Read 1st time, and on motion of

Mr Eagle, the rules were suspended and the bill was read a 2nd time and made the Special order for 11 Oclk on wednesday next in Committee of the whole.

By Unanimous Consent the rules were
HB #191 = Suspended and HB No 191
Entitled A Bill
for an Act to provide for the support and maintinance of the Deaf-Mute Insti-
-tute
Was on motion of Mr Stubbs read 1st and 2nd time and made Special Order for 3 oclock pm on tomorrow in Committee of the whole

HB #193 = HB No 193
Entitled, "A Bill entitled an Act making appropriations for the benefit of the Arkansas Industrial University and for other purposes"
Was taken up and read 1st time and on motion of Mr Walker the rules were suspended, the Bill read a 2nd time and made Special Order for 3 oclock pm tomorrow

On Motion of Mr Stubbs
HCB # HCB No 57 The Substitute for was made Special order for 3 oclock pm tomorrow

By unanimous Consent the Rules were suspended and
Mr McRae introduced the following Resolution,
HCR #11 Entitled, HCR No 11 =
A Resolution relating to proposed Mail Route from Prescott to Magnolia, which was read 1st time

Mr Jennings moved to adjourn
upon which motion a division
of the House was ordered, when 14 members
voted in the affirmative and 16 members
voted in the negative

No quorum voting—

Mr Jacks gave notice that he would
move a reconsideration of the vote
by which H B No 198 was rejected

At 10, o'clock and 10 minutes pm on
motion of Mr Stubbs the House adjourned

Thomas H. Hunter
Clerk

D. L. Killgore
Speaker

Journal of the House of Representatives

Tuesday Morning March 6th 1877

The House met pursuant to adjournment at 9 O Clock A M

The Clerk called the roll when the following Members answered to their names. Messrs

Allen
Avera
Barnett
Berry
Best
Blankenship
Braley
Brock
Brown
Chaney
Cobb
Coleman of Clark
Coleman of Phillips
Cothan
Cubage
Cunningham
Davis of Pope
Davis of Searcy
Davidson
Duncohoo
Duncan
Dunnagin
Eagle
Ebberson
Farr
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison of Calcie
Harrison of Yell
Headley
Hearn
Hewey
Hunter
Jacks
Jennings
Lawhorn
Lee
Maynard
Martin of Faulkner
Matthews
McKenny
McKennon
McLeod
McRae
Milor
Mooney
Morgan
Morton
Murphy
Pearce
Peevey
Peoples
Poynor
Price
Ratcliffe
Reid
Rice

Robeson
Sawyer
Smith
Stanley
Stubbs
Tate
Thomason
Trafford
Walker
Warren of Crawford and Mr Speaker 82

The following members failed to answer to their names ah the Call of the roll. Messrs

Andrews
Durham
Hill C
Jones
Martin of Dallas and Thomas 10

A quorum of the House announced as present

Prayer by the Chaplain

The Journal of Yesterday was then read and on motion of Mr Whitson was corrected in this days proceedings by Spreading on the Same the amendment offered by him to Senate Bill no 156— but which was subsequently withdrawn.

With this correction the Journal was approved and Signed by the Speaker and the Clerk

On Motion of Mr Poyner Mr Jones was granted leave of absence

On motion of Mr Cothan an indefinite leave of absence was granted Mr Sams

On motion of Mr Gibson Mr Holloway was invited to a Seat on the floor of the House

The following is the amendment offered by Mr Whilson to Senate Bill No 156 - on yesterday and which was withdrawn

Mr Speaker

I move your Sir that we strike out all after the Enacting Clause and insert the following.

Section 1 That in all Counties where the tax Collector has or may hereafter be enjoined from the Collection of the taxes of any County in this State, the time for the collection of said taxes is and the same is hereby extended three months from the date of the dissolution of said injunction.

Section 2: that all acts and parts of acts in conflict with this are hereby repealed.

This act to take Effect and be in force from and after its passage.

J K Whilson

The Speaker laid before the House a communication from the Ladies Benevolent Association, which was read.

H. B. No 117. S. C. entitled "an ack to fix the number and salaries of employees in the various State Departments" was then taken up and on motion of Mr Cayle the Bill was read a 3d time and placed on its final passage.

The question then being Shall the bill pass.

The ayes & nays were ordered when the following members voted in the affirmative

Allen	Brock
Barnett	Chaney
Berry	Cook
Beck	Coleman of Clark
Blankenship	Coleman of Shawnee
Bradley	Cokram

Babage
Cunningham
Davis of Pope
Davis of Searcy
Davidson
Duncan
Dunagin
Eagle
Ebenezer
Fair
Fishback
Fisher
Floyd
Foster
Gardenhire
Gibson
Grey
Hansen of Saline
Hanson of Yell
Hearn
Hunter
Jennings
Lawson
Maitland
Martin of Faulkner
Mathews
McCurry
McKenzie
McLeod
McRae
Allen
Mooney
Morgan
Morton
Pearce
Percy
Peoples
Power
Price
Ratcliffe
Reed
Rice
Rowan
Sawyer
Smith
Stanley
Stubblefield
Tate
Thomason
Trafford
Tucker
Warren of Crawford
Warren of Union
Weaver
Wells
Whitten
Wilson
Wyatt of Hot Springs
Wynne of Mississippi
Yellenmon

And Mr. Speaker 72

Messrs Keadle and Jacks voted in the negative 2

In the affirmative 72
In the Negative 2
Absent not voting 18
92

So the bill passed.

The question then being,
"Shall the title remain as in the Bill"
The same was put and the original title was adopted.

Pending the last vote Mr Davidson appeared in the Hall of the House and answered to his name.

Mr Harrison of Yell asked and obtained leave to have the following explanation of his vote spread upon the Journal
"Mr Speaker, I vote for this bill as the best we can get in the direction of curtailing expenditures, and for no other reasons.

Senate Joint Memorial No 2 the next Special Order for this hour, was then taken up,
And on motion of Mr Handley Senate Joint Memorial No. 2. entitled "A Memorial for the improvement of the Navigation of the St Francis River" was read the 3d time and placed on its final passage.

The Question then being;
"Shall the Memorial Pass"

The Ayes & Noes were ordered when the following members voted in the affirmative.

Allen	Cobb
Barnett	Coleman of Phillips
Berry	Cokham
Bush	Cubage
Blankenship	Cunningham
Brock	Davis of Polk
Brown	Davis of Searcy

Davidson
Donahoe
Duncan
Dunaway
Eagle
Farr
Fuller
Floyd
Foster
Gardner
Gibson
Gray
Harrison of Latimer
Harrison of Yell
Headrick
Hearn
Hunter
Jacks
Jennings
Lawson
Maynard
Martin of Faulkner
Mathews
McHenry
McKennon
McLeod
McRae
Milor
Mooney

Morgan
Morton
Murphy
Pearce
Perry
Peoples
Poinier
Price
Ratcliffe
Read
Rice
Sawyer
Smith
Stanley
Starks
Tate
Thomason
Stafford
Walker
Warren of Crawford
Warren of Union
Weaver
Wells
Whitten
Williams, Hot Spring
Williams, of Mississippi
Williamson
And
Mr Speaker

71

Messrs Lee and Wilson voted in the Negative

In the Affirmative 71
In the Negative 2
Absent not voting 19
92

So the

memorial passed.

The question then being "shall the Title remain as in the Memorial"

The Same was put and the original title was adopted.

On Motion of Mr Warren of Crawford, The Hon. B. J. Brown was invited to a Seat on the floor of the House.

House Substitute for Senate Bill No. 155. the rush Special order was then taken up.

In accordance with previous notice Mr Chaney moved a reconsideration of the vote, by which, House Substitute for Senate Bill No. 155. was adopted in lieu of original Bill.

Mr Read moved to lay the motion to reconsider the vote on the table

Upon which motion, Mr Chaney called for the Ayes & Noes; and the Call was sustained:

The Clerk called the roll and the following members voted in the affirmative

Allen	Duncan
Avera	Eagle
Barnett	Emerson
Berry	Fairbanks
Best	Fisher
Blankenship	Floyd
Brown	Foster
Calhoun of Phillips	Harrison of Saline
Cubage	Harrison of Yell
Davis of Polk.	Hervey
Donahoe	Hamlett

Jacks
Jennings
Maniard
Martin of Tennessee
Mathews
McHenry
McHenrin
McLeod
McRae
Miles
Morgan
Murphy
Peery
Powell
Price
Ratcliffe

Reed
Rice
Roberts
Sawyer
Smith
Stafford
Walker
Warren of Crawford
Warren of Union
Watson
Sells
Wilkins
Williams of Hancock
Williams of Mississippi
And
Mr Speaker 53

The following members voted in the negative,

Messrs,

Brock
Chaney
Col Lam
Cunningham
Davis of Searcy
Davidson
Dunigan
Gardenier
Gibson
Gray
Headden
Hearn

Lawhon
Lee
Mowry
Morton
Peoples
Stanley
Stubbs
Tate
Thomason
Weaver
And
Mr Speaker X 28

Before the vote was announced Mr Hearn changed his vote from Aye, to, Nay, and Mr Bonnie changed his vote from Nay, to Aye,

On the affirmative 53
On the Negative 28
Absent & Not voting 16
97

So the Motion to reconsider the vote by which House Substitute for Senate Bill No 155 was adopted in lieu of the Original Bill,

was laid on the table.

Mr Keadle for the Committee on Engrossed Bills submitted the following report.

"Mr Speaker,

The Committee on Engrossed Bills to whom was referred H. R. No. 202. an act entitled "an act providing for the expenses of the Executive. Legislative and Judicial Departments of the State Government by leave to state that they have had the same under consideration and after carefully examining the same find said bill correctly engrossed.

A further report from the Committee as follows.

Mr. Speaker; Your committee on Engrossed Bills. Having examined "H. B." "No 5," a bill to be entitled an act to repeal an act to amend Section 1357 of Ganets Digest approved January 27. 1875. and for other purposes and herewith return the same correctly engrossed.

The reports were received

On Motion of Mr Fishback House Substitute for Senate Bill 155 was then read a 3d time and placed upon its final Passage.

Upon which Mr Peaples moved the indefinite postponement of the Substitute Bill,

The question then being on the Indefinite

postponement of the Bill
And after debate thereon,

Mr McRae moved the previous question.

The question then being
"Shall the main question be now put"
The same was put. And
a division of the House being ordered 55
members voted in the affirmative and 6.
members voted in the negative

So the main question was ordered:

The question then being on the indefinite
postponement of the Bill:
A division of the House
was ordered in which 20 members voted
in the affirmative and 37 members voted
in the negative.
So the House rejected the
motion to indefinitely postpone the bill.

The question then being,
"Shall the Bill pass"
Mr Gardner moved
the previous question:
The question
then being:
"Shall the Main Question be now
put"
The same was put and the
main question was ordered -

The question then being;
"Shall the bill pass."
The Ayes & Noes
were ordered and the following Members
voted in the affirmative. Messrs.
Allen Avera.

Barnett
Berry
Best
Braley
Brock
Brown
Coleman of Phillips
Cubage
Davis of Polk
Donahoe
Duncan
Elerson
Fuqua
Fishback
Floyd
Garrison of Saline
Garrison of Yell
Headley
Hearn
Hervey
Hubbard
Hutchison of Faulkner
Matthews
McHenry
McKennon
McLean
Milton
Mooney
Morgan
Murphy
Perry
Poinder
Price
Ratcliffe
Reed
Rice
Sawyer
Smith
Stanley
Stafford
Walker
Warren of Crawford
Warren of Lincoln
Watson
Wilson
Williams of Mississippi
Wood
Williamson. 49

The following Members voted in the negative. Noes.

Blankenship
Chaney
Cobb
Cockrum
Cunningham
Davis of Searcy
Dawson
Dunigan
Eagle
Doyle
Gardner
Gibson
Gray
Hamlin
Jacks
Jennings
Lawhon
Martin
Pearce
Peebles
Robertson
Shanks

Idaho	Nay	
Thomason	Warren of Star Springs	
Treanor	Aye	
Wells	Mr Speaker	Aye

Mr McRae was excused from voting. 1

In the affirmative	49	
In the negative	29	
Excused from voting	1	
Absent & not voting	13	
	92	

So the Bill passed.

The question then being:
"Shall the title remain as in the bill."
The same was put and the original title was adopted.

Mr Lawson gave notice that he would move a reconsideration of the vote, by which Substitute for Senate bill No. 155. passed.

Mr Warren of Union moved that the special order be postponed in order to take up S. B. No 167.

Objections being made thereto, a division of the House was ordered, in which 31. members voted in the affirmative and 15 members voted in the negative.

No quorum voting, the motion was lost.

Mr Thomason moved to postpone the special order for ten minutes, in order to take up S. B. No 148.

Objections being made thereto, a division of the House was ordered.

When only Thirty members voting in the affirmative, The motion was lost

Senate Bill No. 119. The next Special Order was then taken up.

Mr Lawton then withdrew his motion to reconsider

And

S. B. 119. The next Special order was then taken up;

Mr Kenney moved to refer the bill to the committee on the Judiciary.

On which motion a division of the House was ordered,

When 41 members voting in the Affirmative and, 9 members voting in the negative The motion was adopted.

Mr Kenney moved to postpone the next Special Order to make the Motion to case an "House Bill No —."

And

Called for the Yeas & Nays thereon; but the call was not sustained so the motion was not agreed to.

Mr. Cayle moved to postpone the next Special order to take up "House Bill No —" upon which motion a division of the House was ordered.

On which one,

Twenty-five members voted in the Affirmative; (Not being two-thirds of a Quorum,) So the motion was not agreed to.

House Bill No. 212.

The next Special Order was then taken up.

And

On motion of Mr McRae: The Bill was read a third time and placed upon its final passage.

Mr Sheats moved the Bill be indefinitely postponed. Pending the same.

The Question then being: "Shall the Bill Pass"

The Yeas & Nays being ordered, The following members voted in the Affirmative & Messrs.

Allen	McLeod
Avera	McRae
Barnett	Miles
Brayley	Morgan
Brock	Morton
Cobb	Murphy
Cotham	Pearce
Cubage	Peoples
Dunny Lam	Rosier
Davis of Polk	Price
Emerson	Reid
Farr	Rice
Fishback	Roberson
Gibbons	Sawyer
Hamlin	Shivers
Jacks	Thomason
Mathews	Wafford
McKennon	Whelan

Warren of Linn Williamson
Wilson and
Williams of Multnomah Mr Speaker 41

The following members voted in the negative. Messrs.

Beach Maiward
Blankenship Martin of Faulkner
Chaney McHenry
Davis of Searcy Mooney
Dawson Reeves
Donahoo Ratcliffe
Duncan Smith
Dunaway Shanley
Eagle Stubbs
Fisher Tate
Foster Warren of Crawford
Gardner Watson
Gray Weaver
Hairston of Yell Wells
Hearn Whitson
Heaney and
Jennings Williams of Hot Spring. 34
Lawson

Before the vote was announced:

Mr Beach changed his vote from aye to nay

In the affirmative	41
In the Negative	34
Absent & not voting	17
	92

So the bill passed.

The question then being:
Shall the title remain as in the bill?
The Same was put and the Original title was adopted.

On motion of Mr Rena:

A clerical Error in the Bill was corrected as follows:

"Strike out the 33d paragraph & insert in lieu thereof:

"Thirty-third. To pay costs in State cases in the Supreme Court, Five Hundred and forty six Dollars and Eight Cents, ($546.08/100)

House Bill No. 202. the next Special Order was then taken up:

Mr Chaney then moved to amend the Bill by striking out $1800 in the 19th paragraph of Section One. In relation to the rent of the Governor's Mansion:

And, -

Upon that Motion, called for the Ayes & Nays and the call was sustained.

The Clerk called the roll and the following members voted in the affirmative: Messrs.

Brayley
Chaney
Davis of Searcy
Dodrill
Dicken
Harrison of Saline
Harrison of Yell
Ihrie
Jackson
Miller
Robertson
Stubbs
Thomason
Wafford
Wells

14

The following members voted in the negative

Messrs.

Abbett
Abery
Barrett
Berry
Bish
Blackship
Brown
Cobb
Cockran
Cubage
Cunningham
Davis of Pope
Dimmick
Duncan
Dunaqin
Eagle
Ebersole
Fort
Floyd
Foster
Henderson
Gibson
Gray
Hearn
Hervey
Humber
Jennings
Lawhon
See
Maynard
Martin of Gardner

Mathews
McKinney
McKennon
McLeod
McRae
Mooney
Morgan
Morton
Mumphrey
Pearce
Posey
Peoples
Pogue
Price
Ratcliffe
Reid
Rice
Sawyers
Smith
Shanley
Stinson
Tate
Travis of Crawford
Warren of Lincoln
Weaver
Whitworth
Williams
Williams of Hempstead
Williams of McDonough
Williamson
Mr Speaker — 62

In the affirmative — 14
In the negative — 62
Absent & not voting — 16
92

So the amendment was rejected.

The motion of Mr Chaney: the ballot was demanded: and the same was found to be correct.

H.B. On Motion of Mr Barham "House Bill No
202. 202" Entitled "a bill to be entitled, an Act
providing for the expenses of ~~of~~ the Executive
Legislative and Judicial departments of
the State Government"

Was read a third
time and placed on its final Passage
The Question then being;
"Shall the Bill Pass"

The Ayes & Nays
were ordered and the following Mem-
-bers voted in the affirmative.

Messrs.

Abbey
Avery
Barnett
Berry
Best
Blankenship
Brayboy
Brock
Cobb
Coleman of Clark
Coleman of Phillips
Corham
Cowan
Davis of Pope
Davis of Searcy
Dickson
Dickson
Eagle
Farr
Floyd
Foster
Gardner
Gibson
Gray
Harrison of Saline
Headley
Hedges

Heroey
Hunter
Lawhon
Lee
Maynard
Martin of Faulkner
Mathews
McCleary
McKennon
McLeod
McRae
McCorkle
Morgan
Morton
Murphy
Reagee
Reecy
Respess
Rorex
Price
Ratcliffe
Reid
Rice
Sawyer
Smith
Stanley
Stubbs

Yates — Wilson
Yeomans — Williams of Noxubee
Wafford — Williams of Mississippi
Warren of Crawford — Williamson
Warren of Union — Aye
Weaver — Mr Speaker. 65

The following Members voted in the negative. Messrs

Chaney — Davis
Cunningham — Jennings
Davidson — Miller
Fishback — Roberson
Fisher — Rives.
Harrison of Yell — Whitsett 12

So the bill passed.

The question then being "Shall the title remain as in the bill"

The Yeas and Nays were put and the original title was adopted.

Mr Gibson moved to postpone the next Special order in order to take up S.B. No 132.

Which was not agreed to only Seven members voting therefor.

S.B. No 156 Senate Bill No 156 Entitled "A Bill to be entitled an act to extend the time for the collection of taxes on the Tax Books of Monroe County for 1876 till the 1st day of July 1877"

being the next special order
was then taken up.

And

On motion of Mr Davis of Pope
the bill was read a third time and
placed on its passage.

The question then being
"Shall the bill pass"?

The Ayes & Nays were ordered and the
following members voted in the Affirmative: Messrs.

Allen
Avera
Barnett
Berry
Beck
Blankenship
Brock
Davis of Pope
Davis of Searcy
Donahoo
Duncan
Eborn
Fain
Fishback
Fisher
Floyd
Gardner
Gibson
Harrison of Yell
Hundley
Jacks
Jennings
Lawhon
Lee
Maynard
Martin of Jefferson
McSkimmon
McLeod
McRae
Milam
Mooney
Morgan
Morton
Murphy
Pearce
Peoples
Rogers
Price
Ratcliffe
Reid
Rice
Sawyer
Smith
Stanley
Tate
Trafford
Warren of Crawford
Watson
Weaver
Wharton
Wilson
Williams of Washington
Williams of Lafayette
Williamson
Mr Speaker

56

The following Members voted in the negative, Messrs,

Bradley	Eagle	
Chairman of Com'e	Gray	
Cunningham	Stubbs	
Duncan	Thomason	8

In the affirmative 56
In the negative 8
Absent & not voting 28
92

So the bill passed.

The question then being, Shall the title remain as in the bill? The Same was put and the original title was adopted.

Mr Eagle moved that all Special orders be postponed, and that House Bills not be taken up and on that motion called for the Ayes & Noes.

Which call was sustained.

The Ayes & Noes were ordered and the following Members voted in the affirmative Messrs:

Allen	Davis of Searcy
Avera	Davidson
Berry	Eagle
Blankenship	Fishback
Bradley	Fisher
Brock	Gardner
Chaney	Gray
Cunningham	Harrison, of Polk

Deam
Jacks
Jennings
Lawhon
Lee
Maiwand
Martin of Paul Knox
McLeod
McRae
Mooney
and Williamson 36.

The following members voted in the negative:

Messrs:
Barnett
Best
Brown
Coleman of Clark
Cothran
Embrey
Davis of Pope
Donham
Duncan
Dunaway
Ellerson
Floyd
Foster
Gibson
Hunter
McHenry
McKenzie
Miller
Murphy
Peoples
Price
Ratcliffe
Reid
Rice
Sawyer
Smith
Stinson
Tate
Waffard
Warren of Union
Whitson
Wilson
Williams of Hot Spring
Williams of Mississippi
Williamson
and Mr Speaker 36.

Before the vote was announced Mr Robinson of Pulaski changed his vote from aye to nay.

In the affirmative 36.
In the negative 36
Absent and not voting 20
92

So the House refused to postpone the special order.)

A message from the Senate by Mr C.H. Wood who appeared within the Hall of the House and read as follows:

Senate Chamber.
March 6th 1897.

Mr Speaker:

I am instructed by the senate to inform your honorable body of the rejection by the Senate of H.B. No 158. "A Bill to be entitled an act to amend an act entitled an act to amend section 4410 of Gantts Digest." and herewith respectfully return the same.

Mr Thomason moved to postpone the next special order, so as to take up H.B. No. and upon that motion.

Called for the ayes and nays and the call was sustained.

The roll was called and the following members voted in the affirmative, Messrs:

Davidson	McClendon
Dunagin	Miller
Eagle	Rayner
Fisher	Rutledge
Hearn	Stubbs
Jacks	Thomason
Lanahan	Warren of Crawford
Maynard	Watson. 16.

The following members voted in the negative. Messrs:

Allen	Best
Avera	Blankenship
Barnett	Brown
Berry	Chaney

Coleman of Clark
Coleman of Phillips
Embrey
Cunningham
Davis of Pope
Davis, of Searcy
Donaghue
Duncan
Ebberson
Fishback
Floyd
Foster
Gardner
Gibson
Gray
Harrison of Hall
Hunter
Jennings
Lee
Martin of Faulkner
Matthews
McHenry

McLeod
McRae
Mooney
Morton
Murphy
Peoples
Price
Reid
Rice
Sawyer
Stanley
Stinson
Tate
Wofford
Walker, of Union
Weaver
Wells
Whitson
Williams, Hot Springs
Williams, Mississippi
Williamson
and Mr Speaker. 52.

In the Affirmative 16.
In the negative 52.
Absent and not voting 24
92.

So the House refused to postpone the special order.

Mr Embrey moved that the House take a recess until 2:30 Oclock P.M.

Mr Watson asked that he be granted leave of absence for the evening to attend the Judiciary Committee.

which motion was granted.

On motion of Mr Embrey at 12:30

Oclock P.M. the House took a recess until 2:30 oclock P.M.

After the Recess.

The Speaker called the House to order at 2:30 Oclock P.M.

The clerk Called the roll when the following members answered to their names. Messrs

Allen	Lashon
Avera	Lee
Barnett	Maiuard
Berry	Martin of Faulkner
Blankenship	Matthews
Braley	McHenry
Chaney	McLeod
Cobb	McRae
Cotham	Mooney
Cubage	Morgan
Davis of Pope	Morton
Davis of Searcy	Murphy
Dunnohoo	Peevey
Dunnagin	Peoples
Eagle	Poynter
Ebbenson	Ratcliffe
Fishback	Reid
Fisher	Robeson
Foster	Sawyer
Gardner	Stanley
Gibson	Stubbs
Gray	Tate
Harrison of Saline	Thomason
Harrison of Yell	Trafford
Heard	Walker
Hervey	Warren of Union
Hunter	Weaver
Jacks	Wells
Jennings	Wilson

Wilson	Williamson	
Williams Hot Springs	and	
Williams Mississippi	Mr Speaker	63

The following members failed to answer to their names at the Call of the roll. Messrs

Andrews	Martin of Dallas	
Best	McKennon	
Brock	Milam	
Brown	Pearce	
Coleman of Clark	Price	
Coleman of Phillips	Priddy	
Cunningham	Reeler	
Davidson	Rice	
Duncan	Sams	
Durham	Smith	
Farr	Stinson	
Floyd	Thomas	
Headlee	Warren of Crawford	
Hill	and	
Jones	Watson	29

A quorum of the House announced present

On motion of Mr Lawson, Mr Durham was granted leave of absence on account of illness

Mr Fishback moved:

That the Special order be postponed, to enable him to call up Senate bill No 121. and have it made a special order for tomorrow. Which motion was not agreed to. Only 26 members voting therefor in a division of the house.

Chair announced:

Mr Leatherman called to the chair

Substitute for House Bill No 5" The next Special Order was then taken up and on motion of Mr Davis of Pope Substitute for House Bill entitled "An Act entitled an act to repeal an act to amend Section 1357 of Gantts Digest. Chapter Seventeen, on Larceny, Approved, July Ninth. 1868. Was read the third time and placed on its final passage.

And after debate thereon
Mr Barnett, moved the previous question.
The question then being,
Shall the Main question be now put?
A division of the house was Ordered in which 37 Members voted in the affirmative and 16 Members voted in the Negative.

So the main question was ordered.

The question then being:
Shall the bill pass?

By
Yeas & Nays, were ordered when the following Members voted in the affirmative. Viz:

Barnett
Berry
Beck
Brown
Cobb
Cotham
Davis of Polo
Davis of Searcy
Donahoo
Ebbesen
Gibson
Gray
Harrison of Yell
Headley
Henry
Jacks
Lee
Martin of Faulkner
McHenry
McRae
Milon
Morgan
Murphy
Reavey

Price
Rapcliffe
Reed
Rice
Robson
Sawyer
Stanley
Stubbs
Wafford
Mackey
Warren of Crawford
Whitson
Williams of Oak Spring
Williamson
And
Mr Speaker. 39

The following numbers voted in the negative; Messrs.

Allen
Avera
Blankenship
Braley
Chaney
Coleman of Clark
Eubanks
Cunningham
Davidson
Duncan
Dunaway
Eagle
Fisher
Floyd
Fowler
Gardner
Harrison of Dallas
Hearn
Hunter
Jennings
Lawhon
Maynard
Mathews
McKamy
McLeod
Mooney
Morton
Pearce
Peeples
Rayner
Smith
Tapp
Thomason
Warren of Union
Weaver
Weller
Wilson
Williams of Mississippi 38.

In the Affirmative 39
In the Negative 38
Absent not voting 15
92

So the bill passed.

The question then being.
"Shall the title remain as in the bill"?

The same was put
and the original title was adopted.

Before the last vote was taken Messrs.
Smith. Warren of Crawford. Davidson.
Beck, Whitson, Floyd. Duncan, Milor
Price, Headley, McKennon, Rice and
Lee, appeared within the Hall of the
House and answered to their names

Mr Avera gave notice that he would
move a reconsideration of the vote, by
which, House Bill No 5. was passed.

On motion, Hon McRae.
The substitute for House
Bill No. 70. Entitled.
A Bill entitled an Act to
Sub: for H.B. No. 70 amend Sections. 135 - 136 - and 138 of
(70) Mellins digest of the Revised Laws of
the State of Arkansas.
was then taken up and
read a third time and placed on its
final passage.

The question then being,
Shall the bill pass?

The clerk called the roll and the
following members voted in the Af-
firmative. - Messrs

Allen
Avera
Barnett
Berry
Bird
Blankenship
Brown
Cobb
Cotham
Cunningham
Davis of Searcy
Davidson
Duncan
Dunigan
Eagle
Fisher
Floyd
Foster

Jackson
Gray
Harrison of Saline
Harrison of Yell
Headlee
Henry
Hervey
Hunter
Jacks
Jennings
Lawhon
Lee
Maynard
Martin of Faulkner
Mathews
McHenry
McLeod
McRae
Milton
Mooney
Morgan
Murton
Murphy
Pearce
Percy
Peoples
Price
Ratcliffe
Reid
Roleson
Smith
Stanley
Stubblefield
Tate
Warren of Crawford
Warren of Lincoln
Weaver
Wells
Williams of Hot Spring
Williams of Mississippi
Williamson
Mr Speaker

and 60

Messrs Bracey, Coleman of Clark, Joyner, Thomason, Wade, Wafford, and Wilson voted in the negative,

Before the vote was announced Mr Lawley was excused from voting.

In the affirmative	60
In the negative	7
Excused from voting	1
Absent not voting	24
	92

So the substitute for House Bill No 70 was passed.

The question then being, "shall the title remain as in the Bill?"

The same was put. and the title was adopted.

Mr Harrison of Yell. moved. that.
The rule & special order for the
day be postponed. to enable him to call
up Senate Bill No 130
Upon which motion a division
of the House was ordered.
when 48 members voted
in the affirmative and 5 members
voted in the negative
And
the special order being postponed
S. B. No 130 Senate Bill No. 130. entitled. "A Bill
to be entitled an act to change the lines
separating the two Judicial districts of
Yell County." was taken up, and read
a first time.

Mr Brown appeared in the Hall of the
House and answered to his Name.

On Motion of Mr Harrison of Yell,
Senate Bill No 130 was then
read the second time, under a suspen-
sion of the rules, and made the special
order for Eleven o'clock A.M. tomorrow

Mr Keen moved.
That the rule & special Order
be postponed, so as to take up a
bill. which Motion was not agreed
to. Only 27 members voting therefor.
Senate Bill No 143. the rule & special
Order was then taken up;
And
On motion of Mr Stubbs, Senate Bill
S. B. No. No. 143. Entitled, "A Bill for an act
143. for the relief of Wesley Payne of
Jackson County, Arkansas.
Was read the third time

and placed upon its final passage.

The Question then being.
"Shall the Bill pass?"

The Ayes & Noes were ordered and the following Members voted in the Affirmative. Messrs.

Allen
Avera
Barnett
Berry
Bush
Blankenship
Braley
Brock
Brown
Bolk
Coleman of Phillips
Cobbam
Cubage
Davis of Searcy
Davidson
Duncan
Dunaway
Eagle
Fisher
Foster
Gardner
Gray
Harrison of Saline
Harrison of Yell
Headley
Hinkle
Jacks
Jennings
Lawhon
Maynard
Martin of Faulkner
Mathews
McHenry
McLeod
Minor
Mooney
Morton
Pearce
Pruet
Peoples
Poynor
Price
Ratcliffe
Roberson
Stanley
Stinson
Stubbs
Tate
Thomason
Trafford
Walker
Warren of Union
Williams of Hot Spring
Williams of Mississippi
Williamson
And
Mr Speaker 57.

Messrs Coleman of Clark, Reid Warren of Crawford
Ed Wells voted in the negative. 4.

Messrs Hum, and Weaver were excused from voting. 2.

For the affirmative	57
For the Negative	4
Excused from Voting	2
Absent and Not Voting	29
	92.

So the bill passed.

By question then being
Shall the title remain as in the bill?
The same was put and the original title was adopted.

By unanimous consent the next special order was postponed.

And.

On motion of Mr Warren of Union
S.B. No 167. Senate Bills No 167. entitled "An act to appropriate money to pay for work for additional buildings and walls of the Penitentiary" Was taken up and read the first time.

And.

On motion of Mr Warren of Union, the rules were suspended and the bill was read the second time, and made the special order for 10 oclock A.M. on tomorrow, in Committee of the Whole.

Senate Bill No 129. entitled "A Bill for an act to be entitled, an act to authorize and direct the Commissioner of State Lands to sell the property known as the Arkansas Institute for the Blind situated in the Town of Arkadelphia, Clark County, Arkansas"

being the next special order for the day.
Was then taken up.
And,
On motion of Mr Beam.
The bill was read the third time and placed on its final passage.
The question then being:
Shall the bill pass?
The ayes and nays were ordered and the following members voted in the affirmative,
Messrs:

Allen	Beam
Avera	Hunter
Barnett	Jennings
Berry	Lawhon
Best	Maynard
Blankenship	Martin of Faulkner
Braley	Matthews
Brock	McHenry
Chaney	McSead
Cobb	McRae
Coleman of Phillips	Milon
Cotham	Mooney
Cubage	Morton
Davis of Searcy	Murphy
Davidson	Pearce
Duncan	Peevey
Dunagin	Peoples
Eagle	Payner
Ebbenson	Price
Fisher	Ratcliffe
Floyd	Reid
Foster	Stanley
Gray	Stinson
Harrison of Saline	Stubbs
Harrison of Yell	Tate
Headlee	Walker.

Warren of Crawford Williams, Hot Springs
Weaver Williams, Mississippi
Wells and Mr Speaker. 58.

Mr Jacks voted in the negative 1.

In the affirmative 58.
In the negative 1.
Absent and not voting 33
92.

So the bill passed.

The question then being,
Shall the title remain as in the bill?

The same was put,
And the title was adopted.

Mr Botham Chairman of the Committee on Enrolled Bills submitted the following report:

Mr Speaker:

Your Committee on Enrolled Bills have the honor to report that they have examined H.B. No 128. H.B. No 113. H.B. No 59. H.B. No 81. H.B. No 178. H.B. No 18. and find the same correctly enrolled, and the same has been signed by the Speaker of the House and by the President of the Senate, and has been delivered to His Excellency, the Governor, this 6th day of March 1877.

The report was received.

On motion of Mr Braley,
the special order was postponed
S.B. and Senate Bill No 48. entitled "A Bill
No 48. to be entitled an act to provide for paying

balance due for erecting the Arkansas Industrial University Building"

Was taken up and read the first time. And,

On motion of Mr Braley, the rules were suspended, and the bill was read the second time and referred to the Committee of the Whole.

On motion of Mr Beam,

the next special order was postponed and Senate Bill No 105 entitled "A Bill to be entitled an act for the relief of Joseph Boscent."

S. B. No 105.

Was taken up and read the first time. And,

On motion of Mr Beam, the rules were then suspended, and the bill was read the second time and referred to the Committee of the Whole.

Mr Allen moved to further postpone the special orders in order to take up Senate Bill No 69.

Upon which motion, A division of the House was ordered and (only 32 members voting therefor) the motion was rejected.

Mr Barnett moved to still further suspend the orders of the day in order to take up S. B. No

Upon which motion a division of the House was ordered, (in which only 34 members voting in the affirmative) the motion was rejected.

Mr Peevey moved a suspension of the rules to enable him to call up S. B. No 36.

which motion was not agreed to.

On motion of Mr Braley
the House then resolved itself into
a Committee of the whole, in consideration
of five certain bills.

(Mr Dunagin in the Chair)

After some time spent in consideration of
the same, the Committee rose, and through
its Chairman, reported progress and
asked leave to sit again at 7:30 oclock
P.M.

The report of the Committee of the whole
was adopted.

A message from the Senate by its Secretary
Col Trotter, who appeared within the bar
of the House and read as follows:

Senate Chamber.
March 6th 1877.

Mr Speaker:

I am instructed by the Senate
to inform your honorable body of the
passage by the Senate of
S.B. No 189. "A Bill to be entitled
an act to define and establish the line
between the counties of Pope and Johnson"
Also of the rejection of
H.B. No 54. "An Act to be entitled
an act to amend the attachment laws
of the state of Arkansas".
and herewith respectfully returns the
same.

Mr Eagle moved a suspension of the rules
in order to call up H.B. No
which motion was rejected.

And, On motion of Mr Stubbs, At 6 oclock P.M. the House took a recess until 7:30 oclock P.M.

After the Recess.

The Speaker called the House to order at 7:30 oclock P.M.

The Clerk called the roll and the following members answered to their names, Messrs:

Allen
Avera
Barnett
Berry
Blackwelship
Braley
Brock
Brown
Chaney
Cobb
Coleman of Clark
Coleman of Phillips
Cotham
Cubage
Cunningham
Davis of Pope
Davis of Searcy
Davidson
Eagle
Fishback
Floyd
Foster
Gardner
Gray
Harrison of Saline
Harrison of Yell
Headrick
Hearn
Hervey
Hunter
Lawson
Lee
Maynard
Martin of Faulkner
McSkimmy
McKennon
McRae
Milor
Mooney
Morton
Reavey
Peoples
Rogers
Price
Ratcliffe
Reid
Robeson
Sawyer
Smith
Stanley
Stubbs
Tate
Thomason
Weeks

Warren of Crawford Williams of Hempstead
Weaver Williams of Mississippi
Wells Williamson
Wheless and Mr Speaker 62

The following members failed to answer to their names, at the call, Messrs.

Andrews Mathews
Bush McLeod
Cunningham Morgan
Duncan Murphy
Dunnagin Reave
Durham Priddy
Ebarsen Rector
Fain Rice
Fisher Sams
Gibson Sheirsen
Hill Thomas
Jacks Trafford
Jennings Warren of Union
Jones Watson
Martin of Dallas Wilson 30

A quorum present.

Mr Fishback moved to suspend the rules in order to introduce a bill:

Upon which motion a division of the House was ordered

Which, only 31 members voting in the affirmative, not being two-thirds of a quorum, the motion was rejected.

Mr Williamson moved that the Special Order be postponed to enable him to take up Senate Bill No. 95.

Objection being made thereto a division of the House was ordered.

When 44 Members voted in the affirmative and 7 Members voted in the negative

And

S. B. No. 75. The Special order being reached Senate Bill No 75 entitled, "A Bill to be entitled, an act to make valid Jurors Certificates."

Was taken up and read the first time.

And

Upon the motion of Mr Williamson the rules were suspended bill was read the 2d time. and made the Special Order for 10.30 oclock A. M. on to-morrow.

Mr Bracey moved. That the House now resolve itself into Committee of the whole, in consideration of Sundry Bills-

Objections being Made thereto, A Division of the House was ordered in which 37 Members voted in the affirmative. and 13 Members voted in the negative.

So the motion was adopted, and the House resolved itself into Committee of the Whole, in Consideration of said Sundry bills.

(Mr Davidson in the Chair)

After some time spent in consideration of the bills the Committee rose, and through its Chairman reported back S. B. No. 191. With the recommendation that the same do pass.

With the following amendment thereto:
Strike "one, One Hundred and Eighty Dollars"
and insert "One Hundred and fifty Dollars"
~~One Hundred and Eighty Dollars~~ in Lieu thereof.

On Motion the amendment was adopted.

On motion of Mr Stubbs.
House Bill No. 191. Entitled.
H.B. "A bill for an act, to provide for the
No. Support and maintance of the Deaf Mute
191. Institute" was read the 3d time
And
Placed on its final Passage.

The Question then being.
Shall the bill Pass?

The Ayes & Nays were ordered,
When the following
members voted in the affirmative.
Messrs

Allen
Avera
Barnett
Berry
Best
Blankenship
Braley
Brock
Brown
Causey
Cobb
Corkran
Dubaye
Cunningham
Davis of Pope
Davis of Searcy
Davidson
Donahoo
Floyd
Fowler
Gardner
Gray
Harrison of Yell
Hearn
Hunter
Jacks
Lawhorn
Maynard
Martin of Faulkner
McHenry
McKennon
McRae
Milam
Morton
Pevey
Royston
Rice

Ratcliffe	Mackay
Rector	Warren of Crawford
Reid	Wells
Rice	Whitten
Robeson	Wilson
Sawyer	Williams of Oaklands
Shanley	Williams of Monroe
Stanton	Williamson
Stubbs	and
Yates	Mr. Speaker 57.

Messrs Engle, Fishback, Lee, and Thomason voted in the negative. 4

Before the vote was announced Messrs, Lee and Thomason changed their votes, from Aye to Nay. 2

In the Affirmative	57
In the negative	4
Absent and not voting	31
	92.

So the bill passed.

The question then being Shall the title remain as in the Bill?

The same was put:
and the title was adopted.

The committee of the Whole Recommended the passage of House bill No 193. with the following amendment "By striking out the words "Six Hundred and forty-seven"

Mr Stubbs moved the adaption of the amendment:

The question then being on the adaption

of the amendment reported by the committee of the whole
The same was Duk.

And the amendment as recommended by the committee was adopted.
And
On motion of Mr Stubbs,
The Bill was then read the third time and placed upon its final passage.
The question then being, "Shall the Bill pass?"
The Ayes & Nays were ordered, when the following members voted in the Affirmative.

Allen	Messrs.
Avera	McKinnon
Bush	Morton
Blanton	Peery
Braley	Poyner
Brock	Price
Brown	Ratcliffe
Cobb	Rieton
Cobham	Robeson
Cunningham	Sawyer
Davis of Rpk	Smith
Davidson	Stanley
Dudley	Stubbs
Eagle	Thomason
Fullbright	Walker
Gardner	Warren of Crawford
Gray	Weaver
Jacks	Whitson
Lawhon	Williams of Northampton
Maynard	Williams of Wilkes.
Martin of Davidson	Williamson
McNeary	and
	Mr Speaker 43

The following members voted in the negative
Messrs:

Chaney		Lanham
Eubage		McRae
Davis of Searcy		Milam
Floyd		Reid
Harrison of Saline		Stinson
Hunter	and	Wells

12.

In the affirmative 43.
In the negative 12
Absent and not voting 37
92.

So the bill as amended by the Committee was passed.

The question then being,
Shall the title remain as in the bill?

The same was put,
And the original title was adopted.

The Committee also further reported back Substitute for House Bill No 57, with the recommendation that the substitute be adopted in lieu of the original bill.

The substitute reported by the Committee was read the first and second time under a suspension of the rules, and adopted in lieu of the original bill.

The amendments reported by the Committee of the whole are as follows, to wit:
"Strike out $200" and insert "$170" in lieu thereof.

The amendment was read the first time and adopted.

Mr Eagle then moved to further amend by adding at the end of Paragraph 1. in section 1. the words "which appropriation shall not exceed $5.500 per annum."

Which amendment was adopted.

And,

On motion of Mr Ratcliffe,

the bill was ordered engrossed and made the special order for 9:30 Oclock a.m. on tomorrow.

The Committee further reported back S. B. No 148. and recommended the passage of the same, without amendment.

And

On motion of Mr Stark

Senate Bill No. 148. Entitled

S. B. No 148 "An Act to be entitled an Act to provide for paying balance due for erecting the Northeastern Insane Institution"

Was taken up, read the third time and placed on its final passage.

The question then being

"Shall the bill pass?"

The Ayes & Nays were ordered

When the following members voted in the Affirmative, Viz:;

Allen	Chaney
Avery	Cobb
Besh	Coleman of Phillips
Blankenship	Cotham
Braley	Davis of Polk
Brock	Davis of Searcy
Brown	Davidson

Sayle
Tisback
Gardner
Gray
Hartman of Jeff
Hearn
Hamlin
Jacks
Fawkes
Maitland
Martin of Franklin
Mack Henry
McRae
Nixon
Norton
Percy
Poynter
Rice
Ratcliffe
Rector
Sawyer
Smith
Stanley
Strudwick
Stubbs
Thomason
Tucker
Treasurer of Crawford
Weaver
Whitten
Williams of Hot Spring
Williamson
And
Mr Speaker 47

The following numbers voting in the negative. Messrs.
Belvins
Cummings Lawe
Donahoo
Floyd
Lee
Reid
Wells
And
Nixon. 8

In the affirmative 47
In the Negative 8
Absent & not voting 27
92.

So the bill passed.

The Question then being Shall the title remain as in the bill?

The same was put.
And the title was adopted:

The committee asked further reposted back.

S.B No. 105. Senate Bill No. 105. Entitled "an act for the relief of Joseph Barnard" with the recommendation that it do not pass.

Mr Hearn, moved the rejection of the Report of the Committee of the whole which recommends the rejection of the Bill.

and

Called for the Ayes & Nays thereon, and the call was sustained

The clerk called the roll and the following members voted in the affirmative. Messrs.

Allen	McRae
Avera	Milor
Blankenship	Morton
Braly	Peevey
Brock	Ratcliffe
Chaney	Rector
Cobb	Sawyer
Coyle	Smith
Floyd	Stinson
Gardner	Thomason
Harrison, of Yell	Wallace
Hearn	Wells
Lawhon	Williams of Hot Spring
Martin of Sevier	and Mr Speaker 29

The following members voted in the negative

Messrs

Berry	Davis of Polk
Bush	Donahoo
Brown	Gray
Botham	Hamlin
Cunningham	Jacks

Maynard		Stubbs	
McHenry		Warren of Crawford	
Rayner		Weaver	
Reid	Ayes	Whitson	18

In the Affirmative	29
In the negative	18
Absent & not voting	45
	92

So the report of the committee was rejected.

And On motion of Mr McRae Senate Bill No 48 was then made the Special Order for 12 o'clock. M. on tomorrow.

Mr Lawhorn moved that the House adjourn.

Which motion was rejected.

The committee also reported back House Bill No. 214; with the recommendation that it do not pass.

Mr Eagle moved

That the report of the committee be adopted;

Upon which motion Mr Warren of Crawford called for the Ayes & Nays. And the call was sustained.

The roll was called. and the following members voted in the affirmative. Messrs

Allen	Henry
Avery	Latham
Berry	Cunningham
Braley	Davidson
Brock	Donahoo

Eagle
Gardner
Gray
Harrison of Gill
Hearn
Hemlin
Lawton
Maynard
Miller
Morgan
Percy
Poynor
Reeder
Sawyer
Stubbs
Thomason
Walker
Ward
Wells. 29.

The following members voted in the Negative:

Bush
Blankenship
Cobb
Coleman of Rusk
Davis of Rains
Fishback
Floyd
Jacks
Martin of Fannin
McHenry
McRae
Morton
Ratcliffe
Reid
Smith
Warren of Crawford
Whitson
Williams of Harrison
and
Mr Speaker. 19.

In the affirmative 29
In the Negative 19
Absent and not voting 44
92

So the report of the Committee of the Whole was adopted, and S. B. No. 105. was thereby rejected.

S. B. No. 105.

Mr Williams of Harrison — Gave notice that he would move a reconsideration of the vote by which Senate Bill No. 105. was rejected.

Mr McRae moved
A suspension of the rules

to enable him to have House Bill No. made the special order for tomorrow.

Upon which motion, A division of the House was called in which only 21 members voting in the affirmative, (not being 2/3 of the whole of a quorum)

The motion was rejected.

And On motion of Mr Reid at 10.30 o'clock P.M. the House adjourned.

Thomas H. Hewlett
Clerk

D. L. Hillyer
Speaker

Journal of the House of Representatives

Wednesday Morning. March 7th 1877

The House met pursuant to Adjournment at 9 oclock A.M.

The Clerk called the roll, when the following members answered to their Names

Messrs.

Allen
Avera
Barnett
Berry
Bech
Blackwelder
Bradley
Brock
Brown
Chumley
Cobb
Coleman of Bladen
Coleman of Phillips
Corbett
Cubage
Cunningham
Davis of Pope
Davis of Stanly
Davidson
Dockery
Duncan
Dunlap

Eagle
Eborn
Fain
Fishback
Fisher
Floyd
Fowler
Gardener

Gibson
Gray
Harrison of Salisbury
Harrison of Yadkin
Headen
Henry
Hervey

Hunter
Jacks

Lawson
Lee
Maitland
Martin of Franklin
" " Q.
Mathews
McKinney
McLeod
McRae
Milton
Mooney
Morgan
Morton
Murphy
Pearce
Peavey
Peoples
Rogers
Price

Ratcliffe
Rector
Reid
Rice
Roberson
Sams
Sawyer
Smith
Stanley
Stinson
Stubbs
Tate
Thomason
Trafford
Tucker
Warren of Crawford
Warren of Union
Watson
Weaver
Wells
Whitson
Wilson
Williams of Hot Springs
Williamy of Mississippi
Williamson
Mr Speaker

and 83

The following members failed to answer to their names at the call of the roll

Messrs:

Andrews
Duncan
Dunham
Hill
Jennings
Jones
Martin of Dallas
Priddy
and,

Mr Thomas 9

Quorum present.

Prayer by the Chaplain.

The Journal of yesterday was then read by the clerk and there being no objections thereto, it was approved & signed by the Speaker and the clerk.

On motion of Mr Stubbs
Mr Jennings was granted
leave of absence for the day.

The Speaker informed the House that Senate Bill No 48 had under a misTake been read three times and passed in the Proceedings of Yesterday, and

that the passage of the bill was thereupon void.

Upon which:

On motion of Sen Stubbs- The Rules were suspended and Senate Bill No 248 entitled "An act to be entitled an act for paying balance due for erecting the Arkansas University Building."

Was then read the third time and placed upon its final passage-

The question then being "Shall the bill pass?"

The roll was called and the following members answering in the affirmative.

Allen
Avera
Barnett
Blankinship
Brock
Brown
Chenney
Cobb
Coleman of Clark
Coleman of Phillips.
Cockrum
Davis of Pope
Davis of Searcy
Davidson
Duncan
Dunnaway
Eagle
Ethridge
Fain.
Fishback
Foster -1

Gardner
Gibson
Gray
Harrison of Saline
Harrison of Yell
Hearn
Hunter
Jacks.
Maynard
Martin of Hamilton
Mathews
McCleary
McKennon
McLeod
Miller
Mooney
Morgan
Minton
Murphy
Pearce
Peevy

Peaples		Tate	
Poynor		Thomason	
Price		Wofford	
Ratcliffe		Warren of Brantley	
Reeton		Warren of Union	
Rice		Wells	
Sawyer		Whitson	
Smith		Williams of Hampton	
Stanley		Williams of Mississippi	
Stinson		Williamson	
Stubbs	aye	Mr Speaker	69

The following members voting in the negative. Messrs.

Berry		Henry	
Beth		Lawton	
Bethea		Lee	
Fishburne		Reid	
Floyd		Cunningham	10

So the affirmative	69
So the negative	10
Absent and not voting	18
	92.

So the bill passed.

The question then being "Shall the title remain as in the bill?"

The same was put and the Title was adopted.

Mr Farr Chairman of the Judiciary Committee, under a suspension of the rules, submitted the following report.

Mr Speaker

Your Committee on the Judiciary to whom was referred Certain resolutions directing

an inquiry into the Official Conduct of Theodoric F. Sorrells Judge of the tenth Judicial Circuit of the State of Arkansas and to ascertain if he had been guilty of high crimes and misdemeanors. And grass misconduct in office they leave to report that they have taken a great deal of testimony which is herewith presented to the House and that after a thorough examination of the testimony and the law, have unanimously come to the conclusion that the Honorable Theodoric F. Sorrells Judge of the Tenth Judicial Circuit has been guilty of high crimes and misdemeanors. and gross misconduct in office

Your committee therefore recommend that no article of impeachment be preferred against the said Theodoric F. Sorrells

Z P K Farr
Chairman

Lewis W. Davis
Tho. C. McRae
A. S. McClinton
E K Watson
E K Rice
W. M. Fishback
Hamm N. Coleman
J. J. Warren. of Crawford

W. M. Fishback of Sebastian. But while he has not been guilty of crimes & misdemeanors his conduct can scarcely be termed appropriate.

W. M. Fishback.
Sebastian

Mr Harrison of Jeff

Submitted the following report of the minority, of the Judiciary Committee:

Mr Speaker,

We a minority of your committee, to whom was referred the resolution of the House of Representatives charging high crimes, misdemeanors and gross misconduct in office of the Honorable Theodoric F. Worrell, Judge of the 10th Judicial Circuit of the State of Arkansas.

Beg leave to report that; While They in the main concur in the report of the Majority of your committee that no articles of Impeachment should be preferred against said Judge because of High crimes & misdemeanors yet they cannot wholly concur in said Majority report because they believe the facts and evidence develop in several particulars such misconduct in office as to impair his efficiency as a judge and breeding distrust as to the purity of the administration of Justice as administered in the Courts over which he presides as well as a great delay in the dispatch of his courts, and as to impede the smooth despatch of business — To the great injury of parties in his court.

Signed

Harrison of Yell
Gibson of Lawrence Co

Mr Fishback moved the adoption of the majority report upon which Mr Reid moved the adoption of the minority report But withdrew the same,

Mr Gibson moved the motion to adopt the minority report

(Mr Gardiner called to the chair.)

The question then being on the adoption of the minority report

Mr Berry moved the previous question

The question then being:

Shall the main question be now put?

The same was put and the main question was ordered

The Speaker resumed the chair.

The question then being.

On the adoption of the Majority Report.

And

After debate thereon a division of the House was ordered when 17 Members voted in the affirmative and 42 members voted in the negative.

So the minority report was rejected

The question being:

On the adoption of the Majority report

Mr. Fishback moved the previous question

The question then being

Shall the main question be now put?

The same was put and the report of the Majority of the committee was adopted.

Mr Fishback moved the suspension of the rules in order to take up S. B. No. 121.

The question then being Shall the rules be suspended?

A division of the House was ordered in which 49 members voted in the affirmative and 20 members voted in the negative

So

The rules being suspended S. B. No 121. Entitled "A Bill for an act entitled, an act to provide for a general uniform System of Taxation of Railroads within this State"

Was then taken up

Mr Stubbs moved: That the bill be laid on the table: indefinitely.

A Message from the Senate, by its Secretary Lee Jacob Fosdick who appeared within the Bar of the House and read as follows:

"Senate Chamber

Mich 7. 1877.

Mr Speaker,

I am instructed by the Senate to inform your Honorable Body of the passage by the Senate of S. B. No 1." A bill to be entitled an act to regulate the filling of Vacancies in office in certain cases and to define the same"

Also:

H.B. No. 62. "A Bill to be entitled an act to amend Section 4575. of Gould's Digest."

Also

House Substitute, for S.B. No 155. To be entitled an act to alter the fifth, seventh, and Eighth Judicial Circuits of the State of Arkansas and to create the twelfth Judicial Circuit and to fix the time for holding Courts in the Counties composing said Circuits.", Also

Concurrence by the Senate in House amendment to Senate bill No. 129."

Whereas, that the property shall be appraised by three disinterested Citizens, and shall not sell for less than 2/3 of its appraised value. and

Herewith respectfully return the same—

Also

House Bill No 196. "An act to amend an revised Section 2. of an act entitled An act to authorize the State Board of Finance to borrow money to pay the expenses of the State Government and to pledge the bonds of the State as Security." Approved Nov 16. 1875 which the following amendment:

In Sec. 1. line 1. add after the word "twenty", the word "five", in line 6, same section, Strike out "Two Hundred and fifty" and in lieu thereof "three hundred."

Also

The passage of S.S. for Substitute S. B. No 50. "an act to regulate certain

Judicial circuits of the State."

Also

House Bill No 200. "A Bill for an act to amend Section 4998, Chapter 112 Laws Digest with these amendments Strike out in Section 1, line 9.- after the word "Thereof", "This act provides," and insert in lieu thereof, "that prescribed by law."

Also

House Bill No 202. "A bill to be entitled an act providing for the expenses of the Executive, Legislative and Judicial Departments of the State Government:" With the annexed amendments;

Strike out in the twenty fifth clause the intervening between the 2d and 3d line the words, " and the journal of the present House of Representatives,

Also

Strike out in the 5th line of same clause "One Thousand" and insert in lieu thereof ("four hundred");

Also

add a new clause after the words of clause 37 which shall be numbered 38 for defraying the expenses of the Militia, a sufficient sum, not to exceed One Thousand Dollars;" Providing that no funds shall be disbursed for the expenses of the Militia except upon the personal order of the Governor.

Also

Add to the end of Section 4. these words, "This act shall not be construed to affect the Payment of

claims already duly approved in accordance with law and payable out of such appropriation, or of claims upon the balance remaining on hand out of the appropriation to provide for a proper representation of the State at the Centennial Exhibition which may be approved by the proper authorities who contracted the obligations and shall thereafter be countersigned by the Governor of the State.

Also House Bill No 197. "An act to define the boundary lines of the City of Little Rock Arkansas and

Herewith respectfully returns the same-

The Speaker resumed the Chair

The question then being on the motion of Mr Stubbs to lay Senate Bill No 121 on the table indefinitely and

after debate thereon

Mr Harrison of Yell moved the previous question.

But withdrew the same.

The question then being on the motion to lay on the table indefinitely

And after further debate thereon

Mr Williams of Hot Springs moved the previous question

The question then being

Shall the main question be now put,

The same was put and the main question

Ordered.

On motion of Mr Wells. Mr Wm Watkins was invited to a seat on the floor of the House.

The question then being on the motion to lay Senate Bill No 121 on the table indefinitely

The ayes and nays were called and the Call was sustained.

The roll was called when the following members voted in the affirmative, Messrs.

Berry
Brock
Chaney
Cunningham
Davis of Pope
Davis of Yancey
Davidson
Duncan
Eagle
Fisher
Floyd
Foster
Gardner
Gray
Hendrix
Hunter
Lawhon
Lee
Martin of Faulkner
McKennon
McLeod
Milor
Mooney
Morton
Peevey
Peoples
Poynor
Ryeter
Reid
Stanley
Stubbs
Tate
Thomason
Wilson
Weaver
Wells
Williams of Hot Spring
Williams of Mississippi 38

The following members voted in the negative, Messrs:

Allen
Avera
Barnett
Best
Blankenship
Brown
Cabe
Coleman of Clark
Coleman of Phillips
Cotham
Donohoo.
Dunnagin

Ebberson
Farr
Fishback
Harrison of Salmo
Harrison of Nelson
Harvey
Jacks
Maitland
Matthews
McHenry
McRae
Morgan
Murphy and

Mr Peace
Price
Ratcliffe
Rice
Sawyer
Smith
Stinson
Wofford
Warden, of Trafford
Warren, of Nelson
Whitson
Wilson
Mr Speaker. 40.

In the affirmative 38.
In the negative 40
Absent and not voting 14,
92.

So the House refused to lay Senate Bill No 121. on the table indefinitely.

Mr Fishback then moved that the bill be read the third time, and placed on its final passage.
And,
moved the previous question thereon.

The question then being,
Shall the main question be now put?

A division of the House was ordered, when 38 members voted in the affirmative and 28 members voted in the negative.

So the main question was ordered.

The question then being,
Shall the bill be read the third time and placed on its final passage?

A division of the House was ordered in which 39 members voted in the affirmative and 28 members voted in the negative.

Said thereupon Senate Bill No 121. entitled
S.B. "A Bill for an act entitled an act to provide
No 121. for a general and uniform system of taxation within this state."

Was read the third time and placed upon its final passage.

(Mr Braley called to the Chair)

The question then being
shall the bill pass?

The ayes and nays were ordered and the following members voted in the affirmative, Messrs:

Allen	McHenry
Area	McRae
Barnett	Morgan
Best	Murphy
Bruley	Pearce
Brown	Price
Coleman of Clark	Ratcliffe
Cotham	Rice
Cubage	Sawyer
Donohoo	Stinson
Ebberson	Walker
Farr	Warren, of Crawford
Fishback	Warren, of Union
Garrison, of Hall	Whitson
Heroey	Williamson
Jackel and	Mr Speaker. 32.

The following members voted in the negative, Messrs:

Berry	Brook
Blankenship	Cheney.

Mr Reed
Mr Robertson of Phillips
Mr Cunningham
Mr Davis of Rice
Mr Davis of Stearns
Mr Davidson
Mr Duncan
Mr Dunsmore
Mr Eagle
Mr Fisher
Mr Floyd
Mr Foster
Mr Gardner
Mr Gibson
Mr Gray
Mr Heidelberg
Mr Hearn
Mr Hunter
Mr Parker
Mr Lawler
Mr Lee
Mr Maiward
Mr Martin of Hennepin

Mr Markham
Mr McLeod
Mr Meier
Mr Mooney
Mr Morphan
Mr Peery
Mr Peppler
Mr Rayner
Mr Reaton
Mr Reed
Mr Smith
Mr Stanley
Mr Stubbs
Mr Tate
Mr Thomason
Mr Trafford
Mr Tuhesen
Mr Weaver
Mr Wells
Mr Wilkinson of York Stairs
Mr Wilson of Wabasha

48.

In the Affirmative 32
In the Negative 48
Absent and not voting 12
92

So the House rejected the bill

(The Speaker resumed the Chair.)

Mr Davidson asked and obtained leave to have the following explanation of his vote spread upon the Journal.

"Mr Speaker.

I vote No: because the constitution prohibits the legislature from granting to any citizen or class-

of citizens, privileges and immunities, which upon the same terms, shall not equally belong to all citizens,

The principle upon which the Bill now before the House is based, if consistently applied. would tax the merchant, Lawyer and farmer and artisan upon their net earnings alone and save the effect of exempting ninety-nine per-cent of all property in the State from taxation which is not produced, so to apply the principal in this bill.

It is most certainly unjust and inconsistent.

The law upon the subject of the Taxation of Railroads as now understood and applied, I deem amply sufficient to protect the interests of the State.

The Peoples interests is what I conceive it to be my duty to represent in all things— and their interests are most certainly opposed to protection and monopoly

Mr Jacks; sent to the Clerks desk the following explanation of his vote.

The Railroads are taxed in their stocks & bonds— To tax the lands of Road is to tax them twice. I therefore vote, Aye.

Mr Harrison of Gill sent the following explanation of his vote to the Clerks desk

"Mr Speaker, I vote, Aye, and in doing so, feel that I am rendering the only service in my power to

discourage the building of Rail Roads for the benefit of the Obscure portions of the State, & so much needing Rail roades.

The Constitution fully guarding the abuse of their powers by the roads-

Mr McRae sent to the Clerks desk the following explanation of his vote.

"For new roads taxes under the present system cannot build them roads and compete with the present roads that have been built by Government aid, and exempted by their Charter from taxation.

Believing that all roads should be taxed equal and alike, and that to tax new roads we have commenced to do, would prevent the building of other new roads, and would constitute a monopoly in favor of the present roads, which I do desire to prevent - I vote aye."

Mr McHenry sent to the Clerks desk the following explanation of his vote.

Mr Speaker:

My better judgement tells me "vote against this Bill", but, believing a majority of my people wish it, I vote aye.

Mr Minard sent to the Clerks desk the following explanation of his vote:

Mr Speaker:

In explanation of my vote permit me to say, that I am in favor of all improvement, and if I take the liberty to act solely for myself, I would vote yea; but I hold in my hand a protest from the people of my section, and feel that their Counsel is paramount

to my name;
I am forced to vote no;
Please spread this explanation on the Journal

Mr Eubanks gave notice that he would move a reconsideration of the last vote.

By which Senate Bill No 121 was rejected.

A message from the Governor by his Private Secretary General James M. Conway, was announced, who appeared on the floor and read as follows:

State of Arkansas
Executive Office
Little Rock. March 7. 1877

To the Speaker of the House of Representatives

Mr Speaker, I have approved and signed the following named bills:—

House Bill No 178. "An act to provide for the refunding to Counties the School Funds which have been erroneously apportioned to either County"

also

House Bill No 81. "An act to legalize defective acknowledgements."

also

House Bill No 59. "An act to legalize and make valid certain proceedings of Justices Courts in Pulaski County"

also

House Bill No 113. "An act providing the manner, and before whom, Minors, Lunatics & Idiots; Persons of unsound mind, and persons in confinement, shall redeem lands sold to the State for

New Paymnts of Taxes, and for other purposes.

Also

House Bill No 18. " An act to amend Section Nineteen Hundred and Thirty-Six (1936) Chapter Forty-Three, (43) of Gannts Digest to establish uniformity of agreement of Counsel in Criminal and Civil Matters.

Sign'd N. R. Allen Governor.

Mr Buck Moved: That the House Take a recess until 2.30 P.M. upon which Mr Barnett moved; to adjourn: Which Motion was not agreed to.

The question then being upon the Matter to take a recess until 2.30 o'clock P.m.:

A division of the House was ordered.

And 46 members voting in the affirmative and 19 in the negative, at 12. 45 P.m. the House took a recess until the hour of 2.30 o'clock P.m.

After the Recess.

The Speaker called the House to order at 2.30. o'clock P.m.

The Clerk called the roll, and the following Members answered to their names: Messrs:

Allen
Avera
Berry
Beck
Blankenship
Brock
Brown
Chaney
Cobb
Coleman of Clark
Cothran
Cubage
Cunningham
Davis of Pope
Davidson
Donahoo
Duncan
Durham
Dunn
Fishback
Fisher
Floyd
Foster
Gunderson
Gibson
Gray
Harrison of Dallas
Harrison of Yell
Headley
Heard
Horne
Hunter
Jacks
Lawhon
Lee
Maitland
Martin of Sevier
Parker
McHenry
McKinnon
McLeod
Miller
Mooney
Moryan
Murphy
Pearce
Poynor
Price
Ratcliffe
Reton
Reid
Sawyer
Smith
Stanley
Sluman
Stubbs
Tate
Thompson
Travers of Crawford
Travis of Union
Weaver
Wells
Wilson
Wilson of Hot Springs
Williamson
and
Winfield 65.

The following members failed to answer to their names at the call of the Roll, Messrs.

Anderson
Burnett
Braley
Coleman of Phillips
Davis of Yancey
Eagle
Ebbesen
Hill
Jennings.
Jones
Martin of Dallas
McRae.
Morton
Reeves
Peoples
Priddy
Rice
Roberson
Sams
Thomas
Stafford
Straham
Williams of Mississippi
Yates.

A quorum present.

(Mr Dora called to the Chair)

On motion of Mr Duncan,
Mr Durham was granted leave of absence for the day on account of illness.

On motion of Mr Davis of Pope,
General H W McMillan was invited to a seat upon the floor of the House.

Mr Killgore moved a suspension of the regular order of business, in order to take up certain important bills.
Which motion was adopted.

No 13
196

House Bill No 196.
was then taken up, and the amendments of the Senate thereto, to wit:
"In section 1. line 1. add after the word "Twenty" the word "five" in line 6. same section, strike out "Two hundred and fifty" and insert in lieu thereof, "Three Hundred."

Which were read,

And,

Mr Killgore moved that the House concur in the Senate amendment thereto.

Which motion was adopted,

And,

the ayes and nays being ordered the following members voted in the affirmative,

Allen,
Avery
Baskett
Bayz
Blankenship
Brock
Cobb
Culbertson of Clark
Cockran
Cubage
Davidson of Pope
Davidson
Dickinson
Ebbesen
Faires
Fulton
Floyd
Foster
Gardner
Gibson
Gray
Harrison of Sevier
Harrison of Yell
Hawkins
Henslee
Keen
Mcconnell
Markham of Faulkner
Mathews
McMenamy

McCabe
McRae
Mahony
Mooney
Montgomery
Murphy
Pearson
Pennell
Rooks
Rozzell
Rice
Rutledge
Reid
Saulsbery
Snider
Stubblefield
Tate
Thomason
Watson
Walker
Thomas of Union
Travers
Tolen
Williams of Garland
Williamson

And

Mr Speaker

The following members voted in the negative:

Jack
Lankford
Mann of Crawford
Reed
Whitman

In the affirmative 60
In the negative 9
Absent and not voting 21
92

So the amendment of the Senate to the bill, was concurred in.

On motion,

House Bill No. 202.

was then taken up, and the amendments of the Senate thereto, to wit:

"Strike out in 25th clause, the interlining between 2nd and 3rd lines the words "And the Journal of the present House of Representatives"

Also strike out in the 5th line of same clause "One thousand" and insert in lieu thereof "four hundred"

Also add a new clause after the proviso of clause "37" which shall be numbered "38" for defraying the expenses of the Militia a sufficient sum not to exceed one thousand dollars "Provided, that no funds shall be disbursed for expenses of the militia except upon the personal order of the Governor"

Also, add to the end of section 4. these words: "This act shall not be construed to affect the payment of claims already duly approved in accordance with law and payable out of such appropri-

ation, or of claims upon the balance remaining on hand out of the appropriation to provide for a proper representation of the state at the Centennial exhibition, which may be approved by the proper authorities, who contracted the obligations, and shall thereafter be countersigned by the Governor of the state."

Mere read.

On motion of Mr Chaney,

A division of the amendments was ordered,

The question then being,

Shall the House concur in the first amendment of the senate, to wit;

"Strike out in 25th Clause, the intelining between 2nd and 3rd lines the words "and the Journal of the present House of Representatives"

The question then being, shall the House Concur in the first amendment of the Senate to the bill;

The ayes and nays were ordered when the following members voted in the affirmative,

Messrs

Allen
Avery
Blanchard
Brock
Brown
Cobb
Coleman of Clark
Cockran
Cochran
Davis of Rapides
Davidson
Duncan
Eagle
Ebberson
Farr
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison of Sabine
Headley
Hearn
Jones
Lawson
Lee
Maynard
Martin of Jackson
Mathews

McKinney
McLeod
McRae
Morton
Morgan
Murphy
Pearce
Peavey
Peoples
Price
Ratcliffe
Reid

Aye

Smith
Stanley
Sheehan
Stubbs
Stafford
Stevens of Hennepin
Stokes
Swanson of Otter Tail
Swanson of Chisago
Williamson
Mr Speaker

54.

The following members voted in the negative:

Burnett
Berg
Beck
Bradley
Chaudy
Cunningham
Fishback
Hanson of Fillmore
Henslin
Jacobs

Milton
Mowry
Royce
Tate
Thompson
Walker
Stevens of Crawford
Stokes
Whitcomb

Aye

19.

In the affirmative 54
In the Negative 19
Absent or not voting 19
92

So the 1st amendment of the Senate to H.B No. 202. was concurred in.

The 2d, 3d, and 4th amendments of the Senate to the Bill were then read

Mr Cubbage; Then moved, That the

House, now proceed, to act upon the amendments, as a whole, instead of separately. The question then being Shall the amendments of the Senate to House Bill No 202 be concurred in, the ayes and nays were ordered when the following names were called in the affirmative

Allen
Avery
Barnett
Blankenship
Bradley
Brock
Brown
Burch
Chesnutt of Clark
Cochran
Cubage
Davis of Rankin
Dunston
Duncan
Eagle
Eberson
Ham
Hester
Jones
Jordan
Gibson
Gray
Harrison of Jackson
Harrison of Pike
Heidel
Hearn
Lee
Mainord

Martin of Tunica
Mathews
McHenry
McKinney
McLeod
McRae
Mooney
Morgan
Morton
Murphy
Pearce
Peavey
Peoples
Payne
Price
Ratcliffe
Reid
Smith
Stinson
Stubbs
Tate
Tedford
Thacker
Thames of Union
Treadway
Wales
Williams of Yazoo/Sunflower
Williamson
Mr Speaker

and

The following numbers voting in the

Negative. Messrs.
Berry — McRae
Beck — Thomason
Channell — Warren of Crawford
Cunningham — Watson
Hamlett — Weaver
Jacks — and Wilson,

In the affirmative 57
In the Negative 12
Absent and not voting 23
92

So the House concurred in the Senate amendment to House Bill No 202.

Mr Leatham submitting the following report

Mr Speaker,"

The committee on engrossed bills having considered "House Substitute for House Bill 57." & herewith return the same correctly engrossed.

Mr Jarvis

Under a suspension of the rules submitted the following report from the Judiciary Committee.

"Mr Speaker"

Your Judiciary committee to whom was referred certain resolutions directing an inquiry into the official conduct of D. C. Barrow presiding Attorney of the 10th Judicial District,

And

To ascertain if he has been guilty of any high crimes and misdemeanors duy gross misconduct in office;

Beg leave to report;

That they have been unable to report for the want of time, to fully investigate

Said charges—
Your committee Kinsford recommend that said charges be dismissed

Agreed, Jun.
Chairman
C R. Whitcomb
Lewis W. Davis
A. J. McKinnon
Jno K Gibson
W W Frederick
J. D. Harrison.

The report was received and adopted.

Message From the Senate was announced and read by its Secretary Edmund Jacob Halick, as follows.

Senate Chamber.
March 4. 1879

Mr. Speaker.

I am instructed to inform your honorable body of the passage of by the Senate, of House Bill No 149.
Entitled "A Bill for an act to change the lines between the counties of Shark and Jarad," Also
House Bill No 212. "An act to provide the employment and Living wit of convicts, and prescribing the duties & fees of officers charged therewith;"
Also
House Bill, No 132, "An act fixing the Time of Holding the court of Lawrence County"
And also
House Bill No 78. "An act to prohibit an act to provide for an instructive Service

In cases of attachment before the Justices of the Peace; with the following Amendments;-

Insert - after the word "Act" in Section 5. 1st line.

"The first clause of"

And

"Section" between the figures "4923" and 4929."- and

Strike out "4928."

Also

Substitutes for House Bill A 0119.

"An act to fix the number and salaries of clerks and employees of the different State Departments"

With the following amendments,

=Amend section 3, by striking out the words "Twenty five" in the lines 4 & 5 after the word "and" in line 4 and insert in lieu thereof "fifty".

Again

Amend section 4i in line 4 Strike out, the word "one" and insert "two"

And

further strike out "Clerk" in the same section & line and insert "clerks", in lieu thereof.

And the word "Each" after the word "sum" in line 7 of said section 4.

After the word "any"

In line 7, Strike out "Two" and insert "One".

Also

Strike out the words "clerks", "Each", in line 8 and insert clerk-

At the end of section 4. Providing for Salary of Janitor Strike out Twenty and insert in lieu thereof "ten"

And Kenneth respectfully Informs

The same.

(The Speaker resumed the Chair.)

Substitute for House Bill "No 57."

was then taking up, "H. Bill

Entitled "An act to provide for the support and maintenance of the Arkansas Institute for the Education of the Blind

Ordered

On Mr Sparks; the bill was read the 3d time and placed on its final passage.

The question then being "Shall the bill pass?"

The Clerk called the roll and the following members voted in the affirmative.

Allen
Alvord
Barnett
Berry
Best
Blankenship
Brodie
Brooks
Brown
Chaney
Cook
Cockrill
Davis of Pope
Davidson
Duncan
Eberson
Farr
Fechaler
Fisher

Floyd
Fowler
Gardner
Gibson
Gray
Harmon of Yell
Harmon of Polk
Henry
Hervey
Hunter
Jacks
Lewellen
Lile
Maynard
Martin of Hamilton
Mathews
McHenry
McKennon
McRae

McRae	Gleason
Nelson	Stubbs
Mooney	Tate
Morgan	Thomason
Morton	Stafford
Murphy	Walker
Pearce	Warren of Crawford
Peavey	Watson
Peoples	Weems
Rayner	Wells
Rice	~~Webb~~
Ratcliffe	Wilson
Reeves	Williams of Lafayette
Reid	Williams of Hempstead
Smith	and
Stanley	Mr Speaker 67

The following members voting in the negative, Messrs Coleman of Clark and Mr Cunningham, 2

In the affirmative	67
In the negative	2
Absent and not voting	23
	92

So the Bill passed

On motion the original Title of the Bill was adopted

House Bill No 213. the next special order for tomorrow was then taken up.

Mr Barnett, moved to indefinitely postpone the bill.

Mr Warren of Crawford move the previous question.

The question then being Shall the Main question be now put:

The House was Marshall:
And
the Main question was ordered.
The question then being on
the indefinite postponement of the Bill
A division of the House was ordered
when 26 Members voted in the affirmative and
23 Members voted in the negative

And so the Bill was indefinitely postponed

Under a Suspension of the rules Mr Coleman of
Clark introduced the following resolution
Resolved. That the sum of one hundred
and five (105) dollars be and the same is hereby
allowed to E B Blanks for his services in summon-
-ing parties and procuring attendance of witnesses
in the impeachment case of Theodoric F Sorrells
before the Committee on the Judiciary

The resolution was adopted

Mr Watson moved a Suspension of the order of
business to take up House Bill No 105:

Which was not agreed to only 21 Members voting
therefor.

Senate Bill No 118. the next special order.
was then taken up.
And,
On motion of Mr Brock,
S. B. Senate Bill No 118 entitled "An Act to change
No 118. the boundary line between the Counties
of Clark and Pike."
Was read the third time, and
placed on its final passage,

The question then being,
"Shall the bill pass?

The Clerk called the roll and the following members voted in the affirmative, Messrs.:

Allen
Avera
Barnett
Berry
Blankenship
Brock
Brown
Mahaney
Beebe
Coleman of Clark
Cunningham
Davis of Pope
Davidson
Donohoo
Duncan
Eagle
Fair
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Harrison of Saline
Harrison of Yell
Harvey
Jacks
Lawhon
Maynard
Martin of Faulkner
Matthews
McHenry
McClerkin
McCord
McRae
Milton
Mooney
Morgan
Morton
Murphy
Pearce
Peevey
Peoples
Poyner
Price
Ratcliffe
Recta
Reid
Smith
Stanley
Stinson
Stubbs
Tate
Thomason
Wofford
Walker
Warren of Crawford
Warren of Union
Watson
Weaver
Wells
Williams Hot Springs
Williamson
Mr Speaker

6.

The following members voted in the negative, Messrs.:

Best
Bream
Hamter

Lee

4.

Mr Ebberson was excused from voting.

On the affirmative	67.
On the negative	4
Excused from voting.	1
Absent and not voting	10
	92.

So the bill passed.

The question then being
shall the title remain as in the bill?

The same was put,
And the title was adopted.

Mr Watson rose to a question of privilege and returned to the Clerks desk sundry bills that had been referred to the Committee on Circuit and Justices Courts.

Mr Fishback rose to a question of privilege and sent to the Clerks desk certain testimony taken by the Committee appointed to investigate and report upon the bonded indebtedness of the state, and moved that 500 Copies of the same be ordered printed.

Which motion was adopted by an affirmative vote of 43. to a negative vote of 6.

Mr Sawhon moved a suspension of the regular order of business in order to take up a bill.

Which motion was not agreed to.

The next special order being the case of the contested election in Pulaski

County; Was taken up,

Mr McRae moved that the same be postponed until 1 Oclock P.M, on tomorrow upon which motion; Mr Warren of Crawford called for the ayes and nays and the call was sustained,

The Clerk called the roll and the following members voted in the affirmative,

Messrs;

Allen	Matthews
Avera	McHenry
Blankenship	McKennon
Brock	McLeod
Coleman of Clark	McRae
Cunningham	Milton
Gibson	Morgan
Harrison of Polk	Morton
Hearn	Pearce
Hervey	Reavey
Hunter	Rentfro
Lawhon	Stinson
Martin of Sanders	Warren of Union 26.

The following members voted in the negative Messrs;

Barnett	Ebberson
Berry	Fishback
Best	Fisher
Brown	Floyd
Chaney	Foster
Cobb	Gardner
Cubage	Gray
Davis of Pope	Harrison of Saline
Davidson	Jacks
Donahoo	Mooney
Eagle	Rayner

Price
Reeder
Reid
Smith
Stanley
Stubbs
Tate
Thomason

Walker
Warren of Crawford
Weaver
Wells
Whitson
Williams Hot Springs
Williamson
Mr Speaker

and 38.

Messrs Farr and Maynard were excused from voting.

In the affirmative	26.
In the negative	38
Excused from voting	2
Absent and not voting	26
	92.

So the House refused to postpone the contested election case.

(Mr Warren of Union called to the Chair)

On motion of Mr Best,
the report of the minority of the Committee on Elections in the Pulaski County Contested election case,
Was read,

Mr McRae moved the adoption of the majority report.
And thereon, moved the previous question,

The question then being:
Shall the main question be now put?
The same was put,
and,
the main question was ordered.

On motion of Mr McNamara
A recess of the Senate was
ordered and the Secretary of State was
ordered to Acting in the absence members,
The Clerk called the roll when
the following members answered to their
names.

Allen
Avery
Bush
Blanchfield
Brady
Brock
Brown
Chaney
Cobb
Coleman of Clark
Cotham
Cubage
Cumming Lamar
Davis of Polk
Davidson
Donaho
Duncan
Eagle
Ebersole
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison of Dallas
Harrison of Pike
Headley
Hearn
Heiney
Herald
Jacobs
Latham

Lee
Mainard
Mahorin of Faulkner
Matthews
McAlmay
McKennon
McLeod
McRae
Wilson
Mooney
Morgan
McCollum
Pearce
Reeve of
Reeples
Poynor
Price
Reton
Reid
Rice
Sawyer
Smith.
Stanley
Stanton
Stubblefield
Tate
Thomason
Stafford
Walker of Crawford
Wamack of Lincoln
Warren
Wells.
Whitson,

Mr. Wilson of Stillwater and Mr. Wilson of Oak Springs Mr. Speaker.

The following members failed to answer to their names when the roll was called.

Messrs.

Andrews
Barnett
Berry
Coleman
Davis of Searcy
Dunaway
Dunham
Farr
Fishback

Hill
Jennings
Jones
Martin of Dallas
Murphy
Priddy
Ratcliffe
Raleigh
Sams.
Thomas
Watson
Williams of Mississippi.

A quorum announced as present:

The Speaker resumed the Chair:

On motion of Mr. Wilson. the further call of the House was dispensed with.

The question then being on the adoption of the Majority Report,

The Ayes & Nays were ordered, and the following members voting in the affirmative; Messrs.

Allen
Avera
Blankenship
Brally
Brock
Chaney
Cobb
Coleman of Clark

Dunham
Eubanks
Davis of Polk
Davis of Searcy
Davidson
Duncan
Eagle
Fisher

Floyd
Foster
Gardner
Gibson
Gray
Harrison of Jasper
Harrison of Pell
Headlee
Hearn
Hervey
Hunter
Lawhon
Martin of Faulkner
Matthews
McKennon
McHenry
McLeod
McRae
Miller
Mooney
Morgan
Pearce
Peevey
Peoples
Poynter
Reid
Smith
Stanley
Stinson
Tate
Thomason
Walker
Warren of Union
Weaver
Wells
Wilson
Williams Hot Springs
Morton
Rector
Williamson
and
Mr Speaker 57.

The following members voted in the negative
Messrs:

Best
Brown
Donohoo
Ebberson
Lee
Price
Sawyer
Wofford
Warren of Crawford
Whitson 10.

Mr Mainard was excused from voting.

In the affirmative 57
In the negative 10
Excused from voting 1
Absent and not voting 24
92

So the majority report was adopted and it was "Resolved, that Amendment

Tabbs Gross, Reuben White and Henry Clay are not entitled to seats in this House as Representatives from Pulaski County."

Senate Bill No 167. the next special order was then taken up.

And,

On motion of Mr Headlee, the House went into Committee of the Whole in consideration of the bill,

(Mr Headlee in the Chair)

After some time spent in consideration of the bill the Committee rose, and through its Chairman reported the bill back, and recommended the passage of the same without amendment.

The report of the Committee of the Whole was received and adopted.

And,

On motion of Mr McRae,

S. B. No 167. Senate Bill No 167, entitled "An Act to appropriate money to pay for work for additional buildings and walls of the Penitentiary."

Was then read the third time, and placed on its final passage.

The question then being,

Shall the bill pass?

The ayes and nays were ordered when the following members voted in the affirmative, Messrs:

Blankenship	Latham
Bradley	Libaire
Brooks	Davis, of Searcy
Chaney	Davidson
Cobb	Duncan

Ebberson
Fann
Fisher
Foster
Gardner
Gibson
Gray
Harrison of Saline
Harrison of Yell
Headley
Hearn
Hervey
Maynard
Martin of Faulkner
Matthews
McHenry
McKennon
McSead
McRae
Mooney
Morgan
Peeler
Peoples
Payne
Ratcliffe
Reid
Rice
Sawyer
Stinson
Stubbs
Tate
Wofford
Walker
Warren of Crawford
Warren of Union
Wells
Whitson
Wilson
and
Mr Speaker. 49.

The following members voted in the negative,
Messrs:

Allen
Cunningham
Eagle
Fishback
Floyd
Hunter
Jacks
Lawson
Miller
Morton
Reeves
Stanley
Thomason
Watson
Williams, Hot Spring
and Williamson 16.

In the affirmative 49
In the negative 16.
Absent and not voting 17
65

So the bill passed.

The question then being,
Shall the title remain as in the bill?

Which was lost:
And the Title was adopted.

On motion of Sherrill of Roe
S. B. Senate Bill No. 162. entitled: "An
do act to change the time of holding
162. the circuit Court in Dallas County"
was taken up and read a third
time,
and Placed upon its final passage.
The question then being
Shall the Bill Pass?.
The Clerk called the roll
and the following members voted
in the affirmative. Messrs.

Allen
Berry
Bradley
Brock
Chaney
Cobbam
Cunningham
Davis of Lacey
Dewedam
Dondeds
Duncan
Eagle
Ebblem
Flam
Fishback
Floyd
Foster
Gardner
Gibson
Gray
Harrison of Yell
Hearn
Henry
Hendrix
Jacks

Lawhon
Lee
Maynard
Martin of Franklin
Matthews
McHenry
McLeod
McRea
Milor
Minton
Pevey
Reagles
Poynor
Ratcliffe
Rector
Reid
Rice
Stanley
Stubby
Tate
Thomason
Thaffor of
Walker
Warren of Crawford
Watson

Clerk

Beaver — Mr Speaker
Shultz — Mr Chairman
Wilson — and Mr Speaker — 57.

Some votes in the negative.

So the affirmative — 57
So the negative — 30
Absent and not voting — 5
92

So the bill passed.

The question then being shall the question remain as in the bill.

The same was put and the bill was adopted.

Under a suspension of the rules Mr McKennan; introduced the following resolution;

Whereas; C. R. Hill has been constantly attentive to his duties as janitor and besides has performed a great deal of labor, in carrying the mail from and to the House duly has been universally prompt & correct in the discharge of his duties

Therefore; Be it Resolved; That he be; and is hereby allowed the sum of four dollars per diem mileage of three dollars per diem, for his said services, during the present term of the legislature

Mr McKennon Move the adoption of the resolution

A Message from the Senate was received. (by its Secretary Mr Jacobs Enoch: This day and withdrew the House and read as follows:

Senate Chamber,
March 7th 1877.

Mr Speaker;

I am instructed by the Senate to inform your honorable body of the passage of H.J.M. No 6. "To the Congress of the United States praying the establishing a mail route from Barak Newton County, to Russellville, in Pope County"

Also,

S.B. No 129. "A Bill to be entitled an act to fix the salaries of State Officers and the per diem of members of the General Assembly; and the number and salaries of the different departments of the State Government".

Also,

H.B. No 195. "A Bill to be entitled an act regulating the payment of money by the state Treasurer".

Also,

S.B. No 169. "An Act to provide for the sale of certain books by the Secretary of State".

Also,

House Bill No 82. "An Act to amend sections 2635, 2636, 2637 and 2642, of Gantts Digest"

Also,

H.B. No 40. "An Act to amend section 4644 Gantts Digest, with the amendments: "Add after the word "true" and that said witness is not absent by the procurement connivance, or consent of the party."

And herewith respectfully transmit the same.

The question then recurring on the adoption of the resolution introduced by Mr McKennon.

Mr Lawhon moved that the House take a recess until 7:30 Oclock P.M.

Upon which motion,
A division of the House was ordered when 39 members voting in the affirmative and 23 members voting in the negative,

At 5:15 Oclock P.M. the House took a recess until 7:30 Oclock P.M.

After the Recess.

The Speaker called the House to order and the following Members answering to their names and at 7.30. o'clock P.M. were present: Messrs:

Allen
Avery
Barnett
Berry
Blanchfield
Brayley
Brockett
Brown
Chaney
Cobb
Coburn of Clark
Cochran
Coffin
Davis of Knox
Davis of Seneca
Davidson
Duncan
Farr
Fishback
Fisher
Floyd
Gardner
Gibson
Gray
Harrison of Salina
Harrison of Yates
Heim
Hervey
Hinkle
Jones
Lawton
Mellinger
Merlin of Hamilton
Matthews
McKinzy
McKinnon
McLeod
McRae
Nilon
Mooney
Nelson
Peavey
Peaslee
Royce
Rice
Rockafellow
Reaton
Reid
Rice
Roelofson
Sawyer
Smith
Sullivan
Stitt &c.

Yates
Thomason
Trafford
Watkins
Watson of Crawford
Watson of Lincoln
Wheaton
Whitson
Wilson
Winborne of Hot Springs.
Wolfenden
Woodfin
Wright 69.

The following members failed to answer to their names at the call of the roll; Messrs:

Andrews
Bush
Buchanan of Phillips
Donaghey
Dunnaway
Eubanks
Eagle
Ebbesen
Fuller
Hendrix
Hill
Jennings
Jones
Lee
Martin of Dallas
Morgan
Murphy
Pearce
Priddy
Sanders
Stanley
Thomas
Watson
Wells
and
Williams of Mississippi. 25.

A quorum present;

On motion of Mr Yates;

Mr Pearce was granted leave of absence for the evening;

Mr Davis of Searcy was granted leave of absence for two hours at his own request.

S. B. No. 95. Senate Bill No 95;

The next special order was then taken up,

And

On motion of Mr Davis of Pope S. B. No. 95. entitled a bill to be entitled "an act to make valid Jones certificate" was read the third time,

And placed on its final passage

The question then being;

Shall the Bill pass?

The Ayes & Noes were ordered, and the following members voted in the affirmative

Messrs.

Allen	Matthews
Avera	McHenry
Barnett	McKinnon
Berry	McLeod
Blackwelder	McRae
Brady	Miller
Brown	Mooney
Cheney	Morton
Cook	Reaves
Coleman of Clark	Peoples
Eubanks	Raynor
Hemingway	Ratcliffe
Davis of Pope	Rieter
Dawson	Reid
Duncan	Rice
Farr	Robeson
Fisher	Sawyer
Floyd	South
Gardner	Sherrin
Gibson	Stubbs
Gray	Tate
Hanner of Iredell	Watford
Harris of Pitt	Walker
Hastie	Warren of Warren
Hearn	Watson
Henderson	Weaver
Jacobs	White
Lawson	Nelson
Mann	Williams of Northampton
Martin of Davidson	Williamson
and	Winstead 60

Messrs Brock, Fishback, Sherrin, and Warren of Crawford voted in the negative.

In the affirmative	60
In the Negative	4
Absent & Excused	28 / 92

So the bill passed.

The question then being:
Shall the title remain as in the bill?
The same was put and the title was adopted.

A message from the Senate by Mr Lee H Wood who appeared within the Hall of the House and read as follows:

Senate Chamber
March 9th 1897.

Mr Speaker:

I am instructed by the Senate to inform your honorable body of the passage by the Senate of H.B. No 116. "A Bill to be entitled an act for the recovery of purchase money contracted for property in possession of the vendee."

Also H.B. No 83 "A Bill to be entitled an act to change the boundary line between the Counties of Izard and Sharpe."

Also H.B. No 65. "An Act to pay the costs of inquisitions on convicts in the Penitentiary"

Also the indefinite postponement of H.B. No 5. "A Bill to be entitled An act to repeal an act to amend section 1357 of Gantts Digest, approved Jan 27. 1875 and for other purposes."

And herewith respectfully return the same.

Mr Headlee from the Committee on Enrolled Bills submitted the following report:

Mr Speaker:

The Committee on Enrolled Bills to whom was referred H.B. No. 196. an act entitled "An Act to amend and

re-enact section two of an act entitled an act to authorize the State Board of Finance to borrow money to pay the expenses of the State Government and to pledge the bonds of the state as security - approved November 16th 1895."

have had the same under consideration and after carefully examining the same find said bill correctly enrolled; and the same has been signed by the President of the Senate, and the Speaker of the House, and delivered to the Governor.

The report of the Committee was received

Mr Davidson moved to postpone the next special order so as to take up Senate Bill No 50.

There being objections thereto, a division of the House was ordered when 38 members voted in the affirmative and 11 members voted in the negative.

And,

the rules being suspended,

S.B. No 50. Senate Bill No 50, entitled "An act to regulate certain Judicial Circuits of the state."

Was taken up and read ~~the~~ first time.

Mr Martin of Faulkner moved,

the rejection of the bill,

Upon which motion,

Mr Rice called for the ayes and nays and the call was sustained.

The Clerk called the roll and the following members voted in the affirmative, Messrs:

Barnett	Morton
Brown	Price
Harrison, of Saline	Reston
Martin, of Faulkner	Rice

Sawyer
Wofford and Whitson
Williams, Hot Springs 12

The following members voted in the negative

Messrs.
Allen
Best
Blankenship
Braley
Brock
Chaney
Coleman, of Clark
Colvage
Cunningham
Davis of Pope
Davidson
Duncan
Farr
Fishback
Floyd
Gardner
Gibson
Gray
Harrison of Hall
Headlee
Hervey
Hunter
Jacks
Lawhon and Mr Speaker. 48.

Maynard
Matthews
McHenry
McKennon
McLeod
McRae
Milam
Mooney
Peevey
Peoples
Paynter
Ratcliffe
Roleson
Smith
Stinson
Stubbs
Tate
Thomason
Walker
Warren, of Crawford
Warren, of Union
Watson
Weaver
Wilson

Messrs Berry, Cobb, and Reid were excused from voting. 3.

In the affirmative 12.
In the negative 48
~~Excused from voting~~ 3
Absent and not voting 29
92.

So the House refused to reject the bill.

And,

On motion of Mr Davidson, the rules were dispended, and the bill was read the second time.

A message from the Senate by its Secretary, Mr Jacob Trotich, who appeared within the Hall of the House and read as follows:

Senate Chamber,
March 7th 1877.

Mr Speaker:

I am instructed by the Senate to inform your honorable body of the passage by the Senate of H.B. No 55. "An Act to amend sections 443, 444, 445, 446 & 447. Chap. 2. of Gantts Digest, regulating the issuance of specific attachments."

Also H.B. No 97. "An act requiring the Attorney General of the state of Arkansas to record one opinion which he may be called upon to give in any particular point."

And herewith respectfully return the same.

Mr Rice moved that S.B. No 50. be referred to the Committee on the Judiciary,

Which motion was rejected.

Mr Martin of Faulkner moved to amend the bill by striking "Faulkner County from the 6th District" and adding the same to the "5th District"

Mr Rice moved to amend the bill by adding "Chicot and Desha to the 11th Circuit."

Mr Barnett moved to indefinitely postpone the bill.

Which motion was rejected.

Mr moved to lay the bill on

the table,

which motion was not agreed to.

The question then recurring on the motion of Mr Rice to refer the bill to the Judiciary Committee

The same was put,

whereupon,

Mr Barnett called for the ayes and nays and the call was sustained,

The Clerk called the roll and the following members voted in the affirmative, Messrs:

Avera
Barnett
Best
Brown
Harrison, of Saline
Jacks
Martin, of Tankersley
Payne
Price
Rice
Sawyer
Warren, of Crawford
and
Williams, of Greene

13.

The following members voted in the negative:

Messrs:

Allen
Berry
Blankenship
Braley
Brock
Chaney
Cobb
Coleman, of Clark
Eubanks
Cunningham
Davis, of Pope
Davidson
Duncan
Fair
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Hell
Hendlee
Hervey
Hunter
Lawhon
Maynard
Matthews
McHenry
McKennon
McLeod
McRae
Milam
Mooney

Morton	Thomason
Reevey	Wafford
Peeples	Walker
Ratcliffe	Warren of Union
Rector	Watson
Robeson	Weaver
Smith	Whitson
Stinson	Wilson
Stubbs	and
Tate	Mr Speaker. 53.

In the affirmative 19.
In the negative 53.
Absent and not voting 26.
92.
So the amendment was rejected.

On motion of Mr Coleman of Clark,
Mr Eagle was granted leave of absence on account of indisposition.

Mr Harrison of Saline then offered the following amendment to S.B. No 50.

"Amend by striking out the months of "March and September" and add the months "February & August" the time of holding Court in the County of Saline."

Upon which motion,
Mr Stone called for the ayes and nays and the call was sustained.

The Clerk called the roll and the following members voted in the affirmative, Messrs:

Barnett	Rector
Gibson	Rice
Harrison of Saline	Sawyer
Hunter	Whitson
Martin of Faulkner	Wilson
Morton ..	and Williams Hot Springs

11.

Allen
Avera
Berry
Best
Blankenship
Braley
Brock
Brown
Mahaney
Coleman of Clark
Umbaugh
Cunningham
Davis of Pope
Davidson
Duncan
Fann
Fishback
Fisher
Floyd
Foster
Gardner
Gray
Harrison of Bell
Harvey.

Lawhon
Maimud
Matthews
McSteeny
McSkemon
McSeed
McRae
Miller
Mooney
Reeves
Peeples
Poynter
Price
Ratcliffe
Rolleson
Smith
Stubbs
Tate
Thomason
Wafford
Walker
Warren of Union
Watson
and Mr Speaker. 48.

In the affirmative 11.
In the negative 48
Absent and not voting 33
92.

So the amendment was rejected.

Mr Davidson then moved that the Bill be made the Special Order for 11 O'Clock AM on tomorrow and thereon moved the previous question.

The question then being.

Shall the main question be now put?

The same was put and the main question was ordered.

The question then being shall SB

No 50 be made the Special order for 11 Oclock a m on tomorrow.

The same was put and the motion was adopted.

A Message from the Senate by its Secretary Col Frolich who appeared in the Hall of the House and read as follows.

Senate Chamber
March 7th 1877

Mr Speaker

I am instructed by the Senate to inform your Honorable of the passage of S B No 120 "A Bill for an act to be Entitled an act to regulate the practice as to bills of exceptions" and herewith respectfully transmit the same.

Mr Watson moved a suspension of the order of business to take up a certain Bill

Which was not agreed to, only 23 members voting therefor.

Senate Bill No 32 the next Special order was then taken up.

Mr Henry moved that the same be postponed for the purpose of taking up Senate Bill 164.

Which was not agreed to

On motion of Mr Coleman of Clark the House then went into Committee of the whole in Consideration of Senate Bill No 32.

Mr Hadlee in the Chair

After some time spent in consideration of the Bill the Committee rose and through its Chairman reported the Bill back with the recommendation that it do not pass.

Mr Reid moved the adoption

- ion of the report of the Committee and thereon moved the previous question.

The question then being.
Shall the main question be now put?

The Same was put and the main question was ordered.

The question then being on the adoption of the report.

The Same was put and the report of the Committee of the whole was adopted and Senate Bill No: 32. was thereby rejected

Senate Bill No 130 Entitled "A Bill to be Entitled an ack to Change the lines Separating the two Judicial Districts of Yell County." the next Special order was then taken up.
and on Motion of Mr Davis of Pope the Bill was read the third time and placed on its final passage.

The question then being;
Shall the Bill pass?

The ayes and nays were ordered when the following members voted in the affirmative
Messrs:

Allen
Avera
Berry
Best
Blankenship
Brock
Brown
Chaney
Cobb
Coleman, of Clark
Cubage
Cunningham
Davis, of Pope
Davidson
Duncan
Fain
Fishback
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Harrison, of Saline
Harrison, of Yell
Hearn
Hunter
Jacks

Lawhon
Maynard
Martin, of Pauldner
Matthews
McHenry
McKenzon
McLeod
McRae
Miller
Mooney
Morgan
Pearcy
Peeples
Poynor
Price
Ratcliffe
Rector
Rice
Robeson
Sawyer
Smith
Stinson
Stubbs
Tate
Thomason
Wofford
Walker
Warren of Crawford
Watson
Weaver
Whitson
Wilson
Williams, Hot Springs
Williamson
and
Mr Speaker. 63.

None voting in the negative.

In the Affirmative 63.
In the Negative 00.
Absent and not voting 29,
92.

So the bill passed.

The question then being,
Shall the title remain as in the bill?
The same was put,
And the title was adopted.

S.B. No 105. the next special order was then taken up,
And
On motion of Mr Broom, Senate Bill
S.B. No 105. entitled "An act for the relief of
No 105. Joseph Boccart."
Was read the third time and
passed on its final passage.

The question then being,
Shall the bill pass?

The roll was called when the following members voted in the affirmative, Messrs:

Allen
Avera
Blankenship
Brock
Chaney
Cobb
Coleman, of Clark
Davis, of Pope
Fann
Fisher
Floyd
Gardner
Gibson
Harrison, of Dallas
Harrison, of Polk
Headlee
Hearn
Heaney

Hunter
Lawhon
Martin, of Faulkner
McKennon
McRae
Mooney
Morton
Peevey
Peeples
Ratcliffe
Reeder
Smith
Stinson
Tate
Walker
Williams, Hot Spring
Williamson
Mr Speaker.

and 36.

The following members voted in the negative Messrs:

Berry
Best
Brown
Cunningham
Duncan
Fishback
Foster
Gray
Jacks
Maimard
Matthews
McSead

Miller
Morgan
Poynter
Price
Reid
Rice
Sawyer
Thomason
Wofford
Warren, of Crawford
Watson
Weaver

and 24.

In the Affirmative 36.
In the negative, 24.
Absent and not voting 32

So the bill passed.

The question then being,
Shall the title remain as in the bill?
The same was put,
And the title was adopted.

On motion of Mr Farr,
the rules were suspended in order to enable him to submit the following report;

Mr Speaker;
Your Committee on the Judiciary to whom was referred Senate Bill No. 57. report that they have considered the same and recommend its passage.

The report was received,
and,

On motion of Mr Peavey,
S.B. No. 57. Senate Bill No 57. entitled "An Act regulating mortgages on personal property"
Was then read the third time, and placed on its final passage,

The question then being,
Shall the bill?
And,
After debate thereon,
Mr McRae moved the previous question

The question then being,
Shall the main question be now put?
The same was put,
And the main question was ordered.

The question then being,
Shall the bill pass?

The ayes and nays were ordered when the following members voted in the affirmative

Messrs.:

Avera
Berry
Blankenship
Brock
Chaney
Cobb
Coleman of Clark
Eubanks
Davidson
Duncan
Farr
Fishback
Fisher
Floyd
Harrison, of Saline
Harrison, of Nell
Heroney
Lawson
Maynard
Martin, of Faulkner
McHenry
McKennon
Miller
Mooney
Morgan
Morgan
Reeves
Peeples
Reaton
Reid
Robeson
Smith
Stinson
Tate
Wofford
Walker
Warren, of Union
Wegner
Whitson
Wilson
and
Mr. Speaker 41.

The following members voted in the negative, Messrs.:

Allen
Barnett
Best
Braley
Brown
Cottrell
Davis, of Pope
Foster
Gardner
Gibson
Gray
Heard
Hunter
McCord
McRae
Joyner
Rutledge
Rice
Sawyer
Stubbs
Thomason
Warren, of Crawford
Watson
Williams, Hot Spring
and
Williamson, 25

In the affirmative 41.
In the negative 25
Absent and Not voting 26,
92.

So the bill passed.

The question then being;
Shall the title remain as in the bill?
The same was put;
And the original title was adopted.

On motion of Mr Tate,
he was granted leave of absence until tomorrow; at his own request.

Under a suspension of the rules;
Mr McRae introduced the following Resolution;
"Resolved by the House that we now take up Senate Bills on first and second reading; and that this shall be the order of business until finished and shall only be suspended by unanimous consent of the House."

On motion of Mr McRae,
the Resolution was adopted.

S.B. No 69. On motion, Senate Bill No 69. entitled "An Act to debtic and punish vagrancy".
Was then taken up, and read the first time.

Mr McRae then moved a suspension of the rules, and that the bill be read the second time;
Which was not agreed to;
No quorum voting.

Whereupon, by direction of the Speaker, the

Clerk called the roll when the following members voted in the affirmative, Messrs

Avera
Berry
Brock
Coleman of Clark
Eubanks
Farr
Fishback
Floyd
Gardner
Gray
Harrison of Calhoun
Harrison of Mill
Hearn
Lawhon
Matthews
McKennon
Morton
Ratcliffe
Reaton
Reid
Robison
Stinson
Stubbs
Walker
Williams, Hot Springs
and Mr Speaker. 26.

The following members voted in the negative Messrs:

Barnett
Best
Blankenship
Braley
Brown
Cobb
Cotham
Davis, of Pope
Davidson
Fisher
Gibson
Harvey
Henster
Jacks
Martin of Faulkner
McHenry
McRae
Mooney
Peevey
Peeples
Poynor
Price
Rice
Sawyer
Thomason
Wofford
Warren, of Crawford
Watson
Weaver
Whitson
Wilson
Williamson 32.

In the affirmative 26.
In the negative 32
Absent and not voting 34
92.

So the House refused to read the bill the second time.

Mr Cotham Chairman of the Committee on Enrolled Bills submitted the following report:

Mr Speaker:

The Committee on Enrolled Bills have had under consideration House Bill No 202. entitled "An act providing for the expenses of the Executive, Legislative, and Judicial departments of the State Government and the same having been correctly enrolled and signed by the presiding officers of both Houses of General Assembly has been delivered to the Governor for his action thereon.

On motion of Mr Braley,

S.B. No 169. Senate Bill No 169. entitled "An Act to provide for the sale of certain books by the Secretary of State"

Was taken up,

And under a suspension of the rules, was read the first and second time.

And,

On motion of Mr. Braley, the bill was made the special order for 9:30 Oclock A.M. on tomorrow.

S.B. No 128. Senate Bill No 128. entitled "A Bill for an act entitled an act to fill the vacancy now existing in the Board of Rail Road Commissioners of this state."

Was taken up.

And,

Under a suspension of the rules, Was read the first and second time

And,

On motion of Mr Best, was made the special order for 10 Oclock A.M. on tomorrow.

Senate Bill was then taken up and

read the first time;

On Motion of Mr Harmon of Saline
The rules were suspended and
the bill was read a second time.
And
made the special order for 9:40 O'
clock A.M. tomorrow

On motion of Mr Reid
S. B. No. 11. Senate Bill No. 11. entitled "A
Bill for an act to amend an act
entitled "an act establishing a court
of Common Pleas in the counties therein
named," Approved December 14th 1875

Was taken up and read a first time

On Motion of Mr Slusser:
The rules were suspended
and made the special order for 11.
O'clock A.M. on tomorrow.

Senate Bill No. 101. entitled: "An act
to protect Tax Payers"

Was then taken up and read the
first time.
And
under a suspension of the rules

On motion of Mr Williamson the Bill
was read the 2d time and made
a special Order for 9:45 oclock A.
M. on Tomorrow.

On motion of Mr Gibson:

S. B. No. 132. Senate Bill No. 132. entitled: A bill
No.
132.

for an act, to be entitled an act, to enable county courts, to vacate or modify certain judgements."

Was then taken up and read the first time

Mr Reid moved to adjourn. upon which Motion

Mr Bush called for the Ayes & Noes Exp the call was sustained

The clerk called the roll when the following members voted in the affirmative:

Blunkenship	Morgan
Fechback	Peevey
Hunter	Reed
Martin of Faulkner	Rice
Mathews	Stafford
McKinnon	Warren of Crawford
McLeod	and
Mooney	Wilkins 15

The following members voted in the negative:

Autry	Hervey
Barnett	Jacks
Bush	Lawhon
Bradley	McHenry
Babb	McRae
Coleman of Pike	Minton
Davidson	Peebles
Donahoo	Rayner
Floyd	Ratcliffe
Gardner	Reeves
Gibson	Roberson
Gray	Stubbs
Harrison of Yell	Thaxton
Heard	Watson

Weaver — Williams of Hot Springs — Wilkinson — Mr Speaker — 32

In the affirmative — 15
In the negative — 32
Absent and not voting — 45
92

So the House refuses to adjourn.

Mr Robson moved a suspension of the order of business, to enable him to call up: S. B. No 132.

Which was not agreed to. only 18 members voting therefor.

On Motion of Mr Watson S. B. No. 132. was taken up and read the first time

Mr Watson moved a suspension of the rules; so that the bill might be read a second time.

Which was not agreed to: only 17 members voting therefor.

Mr Reid moved to adjourn.

Upon which motion a division of the House was ordered, in which 28 members voted in the affirmative, and 19 members voted in the negative.

Whereupon at 10.50. o'clock P.M. the House adjourned.

Thomas M. Houston
Clerk

L. L. Rittgers,
Speaker.

Journal of the House of Representatives

Thursday. March 8th 1877.

The House met pursuant to adjournment at 9 o'clock A. M.

The Clerk called the roll and the following numbers answered to their names.

Allen	✓	Harrison of Jeff	✓
Acree	✓	Headley	✓
Barnett	✓	Hearn	✓
Berry	✓	Hervey	✓
Bird	✓	Hewlett	✓
Blanchard	✓	Jacks	✓
Braley	✓	Lawhon	✓
Brooks	✓	Lee	✓
Brown	✓	Maynard	✓
Chaney	✓	Martin of Jackson	✓
Cook	✓	Mathews	✓
Coleman of Clarke	✓	McHenry	✓
Cobham	✓	McKendree	✓
Cubage	✓	McLeod	
Cunningham	✓	McRae	✓
Davis of Perry	✓	Milon	✓
Davidson	✓	Mooney	✓
Donahoo	✓	Morgan	✓
Duncan	✓	Morton	✓
Dunaway	✓	Murphy	✓
Eagle	✓	Pearce	✓
Ebberson	✓	Peevey	✓
Fishback	✓	Powell	✓
Fisher	✓	Rogers	✓
Floyd	✓	Price	✓
Forbes	✓	Ratcliffe	✓
Gardenier	✓	Reeder	✓
Gibson	✓	Reid	✓
Gray	✓	Rice	✓
Harrison of Yalo	✓	Roberson	✓

Sawyer ✓
Smith. ✓
Stanley ✓
Stinson ✓
Stubbs ✓
Tate ✓
Thomason ✓
Trafford ✓
Tucker ✓
Warren of Crawford

Warren of Union ✓
Watson ✓
Weaver ✓
Wells ✓
Wilson ✓
Wilson ✓
Williams of Okaloosa
Williamson ✓
And ✓
Mr Speaker ✓

79

The following members failed to answer to their names at the call of the Roll

Andrews ✓
Coleman of Phillips
Davis of Pope ✓
Durkam ✓
Farr ✓
Gill ✓
Hennings ✓

Jones ✓
Martin of Dallas
Priddy ✓
Sams ✓
Thomas ✓
And
Williams of Mississippi 13.

A quorum of the House announced as present.

Prayer by the Chaplain.

The Journal of yesterday was read to the night session, and the Journal not being complete, all that portion read was adopted.

On Motion of Mr Stubbs:

Mr D. B. Trail.

The doorkeeper was granted leave of absence for the day

On Motion of Mr Foster:

Mr Reid was added to the committee on Journals.

By unanimous consent,
the rules were suspended,
and,
Mr Warren of Crawford introduced the following Resolution;

Resolved by the House of Representatives of the State of Arkansas, that the thanks of this House are due the Hon D L Killgore, Speaker, for his upright and honorable course, and the impartial manner in which he has presided over the deliberations of this body; and that we will ever hold him in grateful remembrance.

Which Resolution was adopted by a rising vote.

By unanimous consent,
Mr Weaver offered a further Resolution as follows, to wit;

"Resolved by the House of Representatives; That in the Rev: J C Caldwell Chaplain, this body recognize an attentive officer, a sincere Christian Gentleman, whose services are hereby duly appreciated".

Which Resolution was adopted.

Mr Stubbs rose to a question of privilege and returned sundry papers from the Committee on Education, to the Clerks desk.

By unanimous consent.
Mr Tate introduced the following Resolution;

Resolved, by the House of Representatives; That the thanks of this body be, and the same are hereby tendered Thos. W. Newton, Clerk, and John G. Holland, Assistant Clerk, Also to Messrs Belding and Smith, and all the officers, for continued courtesies, and the faithful, impartial, and efficient discharge

of official duty." Which Resolution was adopted

Mr Warren of Thurston rose to a question of privilege and returned sundry bills from the Committee on Ways and Means.

By unanimous consent,

Mr Wilson introduced the following Resolution;

Mr Speaker;

Whereas, Mrs Sallie A. Reid, the Engrossing and Enrolling Clerk of the House, has performed the entire duties of Engrossing and Enrolling Clerk for the present session up to date, and the same has been executed in a creditable manner and to the entire satisfaction of the House.

Therefore, Be it,

Resolved, that the thanks of the House of Representatives, are hereby tendered to Mrs Sallie A Reid, for the prompt, efficient and creditable manner in which she has performed the duties of Engrossing and Enrolling Clerk, of the present session of this House of the present General Assembly."

Which Resolution was adopted.

On motion of Mr Williams of Hot Spring

House Bill No 200. was taken up, and the amendment of the Senate thereto, as follows, to wit:

"Strike out in section 1. line 9. after the word "than" "this act provides" and insert in lieu thereof, "that prescribed by law."

was read,

and the Ayes & Nays being demanded

The following members voting in the

Affirmatives. Messrs;

Allen
Avery
Burnett
Berry
Bush
Blackwell
Brock
Brown
Chaney
Cobb
Coleman of Bleeks
Cobham
Cubage
Davis of Surry
Dunagan
Eagle
Eberen
Farr
Fisher
Floyd
Gardner
Gray
Harrison of Sampson
Harrison of Yew
Lawson
and

Maynard
Martin of Jackson
Mathews
McNairy
McKinnon
McRae
Mowry
Morgan
Morton
Murphy
Pearce
Peebles
Rayner
Ruston
Reid
Rice
Stanley
Stubbs
Sake
Thomason
Tucker
Graham
Shelly
Williams of Harnett
Mr Speaker

5

The following numbered voted in the Negative.

Messrs;

Gibson
Kerney
Jacks
Mclean
Price
Skinner
Watford
and
Wilkerson

5

In the affirmative 57
In the negative 8
Absent or not voting 33
92

So the amendment of the Senate

Senate Bill No 200. was concurred in.

Mr Farr returned sundry bills from the Judiciary committee.

On motion of Mr Peeples: Mr Durham was granted leave of absence for the day.

Mr Harmon of Yell:
returned bills referred to committee on claims:

Mr Watson moved suspension of the regular order of business, in order to take up S. B. No 124.

Upon which motion Mr. Stubbs called for the Ayes & Nays, and the call was sustained.

The Roll was called and the following members voted in the affirmative
Messrs:

Allen	McKamy
Berry	McRae
Blankenship	Milam
Chesney	Morton
Cobb	Morgan
Coleman of Clark	Napier
Cunningham	Ratcliffe
Davis of Searcy	Stanley
Davidson	Stubbs
Dinsmore	Tate
Eagle	Thomason
Fisher	Walker
Gray	Watson
Harmon of Calhoun	Weaver
Harmon of Yell	Wells
Hearn	White
Jacks	Williamson
Lawhon	Wood
Mainard.	Mr Speaker

37

The following members voting in the negative: Messrs.

Avra	McKinnon
Burnett	Money
Bush	Murphy
Brooks	Pearce
Cubage	Peoples
Edmonson	Price
Farr	Rieley
Floyd	Reid
Gardner	Rice
Gibson	Sawyer
Headley	Slusser
Hewey	Strafford
Martin of Jackson	Warren of Lincoln
Matthews	Watson
Reed	Williams of Garrard

28

In the affirmative	37
In the negative	28
Absent & Not Voting	27
	92

So the Senate refused to suspend the regular order of business (not two-thirds of the members voting therefor.)

Mr Gibson returned sundry papers from the committee on State Lands.

Mr Whitson moved to adjourn

Which was not agreed to

Senate Bill No 169 Entitled "An act to provide for the Sale of Certain books by the Secretary of State" was then taken up and on motion of Mr Stubbs the Bill was read the third time and placed on its final passage.

The question then being

Shaw the Bill passes.

The Ayes and Nays were ordered when the following members voted in the affirmative; Nays:

Allen	McKinnon
Avis	McRae
Barnes	Mclen
Berry	Mooney
Bird	Morgan
Blankenship	Morton
Brock	Murphy
Chaney	Pearce
Cobb	Perry
Coleman of Clark	Peoples
Davidson	Payne
Dunaway	Ratcliffe
Eagle	Rector
Ebbesen	Reid
Farr	Rice
Fecher	Sawyer
Fowler	Stanley
Gardner	Stubbs
Gibson	Tate
Gray	Thompson
Harrison of Saline	Waffard
Harrison of Yell	Walker
Hearn	Weaver
Jacks	Wilson
Martin of Faulkner	Williams of Jefferson
Matthews	Wilkinson
McHenry and	Mr Speaker 54

Mr Neal voted in the Negative 1

In the affirmative 54
In the Negative 1
Absent & Not voting 37
92

So the Bill passed. The question then Recurring

Shave the title remain as in the Bill.
The same was put:
and the original title was adopted.

A message from the Governor by his Private Secretary: General James M. Pomeroy who appeared in the Hall of the House and read as follows:

"State of Arkansas
"Executive Office
"Little Rock March 8. 1877.

"To the Speaker
of the House of Representatives:

"Mr Speaker:

"I have approved and Signed the following H.R No 202. An act providing for the expenses of the Executive, Legislative and Judicial Departments of the State Government.

Signed.
M. R. Miller
Governor.

A message from the Senate by its Secretary; Col: Jacob Trulick who appeared in the Hall of the House and read as follows:

Senate Chamber
March 8. 1877

Mr Speaker:

I am instructed by the Senate to inform your Honorable body of the passage of Substitute for H. B. No. 57. "an act to provide for the Support and Maintenance for the Arkansas Institute for the blind:
also
H. B. No. 19. A bill for an act to

provide for the support and maintenance of the deaf mute institute
Also
H. B. No 193. A bill, entitled "an act making the appropriations for the benefit of the Arkansas Industrial University and for other purposes.
Also
House Bill No 70. A bill entitled an act to amend sections 135- 136- & 138 of Millers Digest of the Revenue Laws of the State of Arkansas.- With an amendment, Strike out the word "Circuit" in the 6th line of the 1st section and herewith respectfully return the same.

Signed:
Jacob Trolicks.
Secty.

On motion of Mr Barnett the order of business was then suspended and House Bill No 70 was taken up and the amendment of the Senate thereto, to wit; "Strike out the word "Circuit" in the 6th line of the first section"

Was read. and the question then being; Shall the House concur in the said amendment of the Senate to the Bill;

The same was put and the amend-ment was Concurred in.

Mr Stubbs moved to postpone the Special orders to take up House Bill No

Which was not agreed to only 26 members voting therefor.

Mr Wilson in accordance with previous notice moved a reconsideration of the vote by which Senate Bill No 32. Was rejected.

The question then being. Shall the vote be reconsidered?

Mr Best moved the previous question thereon.

The question then being;
'Shall the main question be now put'

The Same was put and the main question was ordered.

The question then being;
Shall the vote by which Senate Bill No 32 was rejected, be reconsidered

The Same was put and a division of the House being ordered, 32 Members voted in the affirmative and 20 Members voted in the negative.

So the House reconsidered the vote by which Senate Bill no 32 was rejected.

Mr McRae moved that Senate Bill No 32 be read the third time and placed on its final passage.

Upon which motion a division of the House was ordered when 34 Members voted in the affirmative and 3 members voted in the negative.

No quorum voting, on motion of Mr Headley a Call of the House was ordered.

The clerk called the roll when the following members answered to their names:

Messrs:

Allen
Burnett
Berry
Beech
Blankenship
Brock
Chaney
Cobb
Coleman of Clark
Corbin
Dubuque
Cunningham
Davis of Lawrence
Davidson
Duncan
Dunaway
Eagle
Farr
Fairbanks
Fiskin

Floyd
Foster
Gardner
Gibson
Gray
Hamman of Galveston
Hamman of Hill
Headlee
Hearn
Henry
Jack
Lawson
Lee
Maynard
Martin of Hutchinson
Matthews
McHenry
McKinnon
McLeod
McRae
Milton
Mooney
Morton
Reuter
Percy
Peoples
Rice
Ratcliffe
Rector
Reid
Stanley
Tate
Thomason
Walker
Watson
Weaver
Wells
Wilson
Wilson
Winn of Jackson
Williamson
Mr Speaker

The following members failed to answer to their names when the roll was called: Messrs:

Andrews
Avera
Braley
Brown
Culberson of Phillips
Davis of Pope
Donahoe
Durham
Eberson
Reid
Hamilton
Jennings
Jones
Martin of Dallas
Morgan
Murphy
Poynor
Priddy
Rice
Robison
Sams
Sawyer
Smith
Stinson
Stubbs
Thomas,

Stafford
Warren of Crawford
Harris of Union
and
Williams of Mississippi.

29.

A quorum of the House announced as present:

On Motion of Mr Cayle: the further call of the House was dispensed with.

Mr Reid moved to adjourn: Which was not agreed to:

Mr McRae then moved:
That Senate Bill No. 32. be read a third time and placed on its final passage.

Upon which motion the Speaker ordered the roll called
When, the following members voted in the affirmative:

Allen
Avera
Barnett
Best
Brock
Chaney
Cobb
Coleman of Clark
Cubage
Cummings
Davis of Drew
Davidson
Dinsmore
Cayle
Fishback
Fisher
Fuss
Gardner
Gibson
Harrison of Yell
Hearn
Henry
Lawhon
Lee
Maynard
Martin of Faulkner
McHenry
McKennon
McLeod
McRae
Mooney
Morton
Pearce
Pixley
Peoples
Ratcliffe

Rector	Aye	Nelson
Stanley	"	Wilson
Tate	"	Williamson of Hot Springs
Thomason	"	Williamson
Walker	and	Mr. Speaker. 46

The following members voted in the negative; Thereupon:

Berry		Headlee
Blankenship		Jacks
Barham		Matthews
Duncan		Milam
Eberson		Price
Floyd		Reid
Fisher		Watson
Gray		and
Harrison of Sevier		Wells. 17.

In the affirmative	46
In the negative	17
Absent & Not voting	29
	92

So Senate Bill No. 32. was ordered to a third reading.

Senate Bill No 32. entitled "an act for the relief of D. T. Griffis and sons was read the third time and placed on its final passage-

Mr Reid then moved:
That the bill be recommitted, to the committee on claims- and thereon, called for the Ayes and Nays:
And, the call was sustained.

The clerk called the roll, when the following members voted in the affirmative, Messrs:

Berry
Barham
Bubaje
Ebberson
Fasler
Harrison of Salem
Harvey
Jack
Lee
Maynard.

17

The following numbers voted in the Negative. Messrs:

Allen
Avera
Barnett
Bell
Blanchard.
Bradley
Brock
Cobb
Coleman of Clarke
Cunningham
Davis of Stanly
Davidson
Duncan
Dunnigan
Eagle
Farr
Fisher
Floyd.
Gibson
Gray
Harrison of Iredell
Hearn

and

Lawhon
Mankin of Cumberland
Mathews
McHenry
McKinnon
McLeod
McRae
Mooney
Morton
Peery
Peoples
Rayner
Rhodes
Rector
Stanley
Thurston
Tate
Walker
Wilson
Williams of Johnston
Winslow
Worthington

44.

In the affirmative 17
In the Negative 44
Absent & Not voting 31.
92

So the House refused to recommit the Bill

The question then being,
Shall the Bill pass

Mr McRae moved the previous question thereon

The question then being;
Shall the main question be now put.

The same was put and the main question was ordered.

The question then being,
Shall the Bill pass?

The ayes and nays were ordered when the following members voted in the affirmative, Messrs

Allen	Maynard
Avery	Martin of Faulkner
Barnett	McHenry
Braley	McKennon
Brock	McLeod
Cobb	McRae
Coleman of Clark	Money
Eubanks	Morton
Cunningham	Pearce
Davis of Searcy	Peevey
Dunnagin	Peebles
Eagle	Poynter
Farr	Ratcliffe
Fishback	Rector
Fisher	Stanley
Floyd	Tate
Gibson	Walker
Harrison of Yell	Wilson
Headlee	Williams of Hot Springs
Hearn	Williams of Mississippi
Hervey	Williamson
Lincoln and	Mr Speaker — 44

The following members voted in the negative Messrs

Berry		Lee	
Bush		Matthews	
Blankenship		Miller	
Cotham		Reid	
Davidson		Rice	
Duncan		Sawyer	
Ebberson		Thomason	
Foster		Watson	
Gray		Weaver	
Harrison of Salem		Wells	
Jacks	and	Whitson	22

In the affirmative 44
In the Negative 22
Absent and not Voting 26
92

So the Bill passed

The question then being
Shall the title remain as in the Bill

The Same was put and the orginal title was adopted.

Mr Reid gave notice that at 12 O'Clock M on to day he would move a reconsideration of the vote by which Senate Bill No 32 was passed.

Mr Headley moved a Suspension of the rules to Enable him to introduce a resolution.

Which was not agreed to, only 23 members voting therefor.

Senate Bill No 128 the next Special order was then taken up
and. on motion of Mr Harrison of Salem Senate Bill No 128 Entitled "A Bill for an Act entitled an act to fill the vacancy now existing in the Board of Railroad Commissioners of this State"

was read the third time and placed on its final passage.

The question then being

Shall the Bill pass?

The ayes and nayes were ordered when the following members voted in the affirmative, Messrs

Allen	Lee
Barnett	Maimed
Berry	Martin of Faulkner
Best	McHenry
Blankenship	McKennon
Chaney	McLeod
Cobb	McRae
Coleman of Clark	Mooney
Cabage	Peevey
Cunningham	Peoples
Davis of Yancy	Pogue
Davidson	Price
Duncan	Reeter
Dunnagin	Reid
Eagle	Rice
Ellerson	Sawyer
Farr	Stanley
Fishback	Stubblefield
Fisher	Tate
Flegal	Walker
Gardner	Watson
Gibson	Wells
Gray	Wilson
Harrison of Adair	Wilson
Harrison of Lee	Williams of Hot Spring
Hearn	Williamson
Heiner	and
Jacks	Mr Speaker
Lawson	56

In the affirmative	56
In the negative	00
Absent and not voting	36
	92

So the Bill passed.

The question then being;

Shall the title remain as in the Bill.

The same was put and the original title was adopted

Senate Bill No 110. The next special order was then taken up;

And

On Motion of Mr Harrison of Dallas, S. B. No 113. entitled, "An act To authorize the County Court or Judge thereof in Vacation to direct the employment of a Guard for Jail, in certain cases, and to repeal section. "3576." of Lewis Deyart"

Was read the third time and placed on its final passage

The Question then being

Shall the Bill pass?.

The yeas & Nays were ordered and the following members voted in the affirmative; Messrs;

Allen		Floyd
Avera		Fowler
Bennett		Garaven
Berry		Gibson
Bush		Harrison of Dallas
Blanchard		Harrison of Tyler
Braley		Jacks
Brock		Lawhon
Brown		Maynard
Cobb		Minton of Jackson
Coleman	of Ark.	Mayhews
Embage		McHenry
Davidson		McKinnon
Duncan		McLeod
Farr		McRae
Fisher		Milor

Mooney	Stubbs
Pearce	Tate
Peery	Walker
Replogle	Weaver
Rutledge	Wells
Rector	Williams of Hart & Grigsby
Reid	Williamson
Rice	And
Stanley	Mr Speaker. 49

The following members voting in the Negative: Messrs.

Fishback	Price
Harvey,	Sawyer
Hendrix	Thomason
Lee	Whitson
Morton	And
Rayner	Wilson. 11

In the affirmative	49
In the Negative	11
Absent & Not voting	32
	92.

So the bill passed.

On motion of Mr McRae: Senate Bill No. 8. entitled, "An act to amend an act to regulate the letting of Public Contracts." "Approved" November 28th 1894"

Was taken up read the third time and placed on its final passage,

The question then being: Shall

the bill pass?

The Ayes & Noes were ordered and the following members voting in the affirmative, Messrs:

Allen
Barnett

Berry
Beck

Blackmonship
Braley
Brock
Chaney
Cobb
Brown
Coleman of Clark
Cubage
Davis of Searcy
Davidson
Duncan
Dunaway
Durham
Eagle
Ellison
Farr
Fishback
Fisher
Floyd
Fulton
Gardner
Gibson
Gray
Harmon of Saline
Harrison of Yell
Hunter
Jacks
Lawson
Lee

aud

Maynard
Martin of Faulkner
Matthews
McHenry
McKennon
McLeod
McRae
Milam
Mooney
Monton
Reave
Peoples
Rayner
Rector
Reid
Rice
Sawyer
Stanley
Sluisher
Stubbs
Tate
Thomason
Walker
Watson
Weaver
Wells
Whitsitt
Wilson
Williams of Hot Spring
Williamson
Mr Spencer 63.

Mr Cunningham voted in the negative.

In the affirmative	63
In the negative	1
Those not voting	28
	92

So the bill passed:

The question then being
Shall the title remain as in the Bill

The same was put, and the original title was retained

In accordance with previous notice Mr Dunbage moved a reconsideration of the vote by which Senate Bill No 121. Was rejected.

Mr Lawson moved to lay the motion to reconsider the vote upon the table.

Upon which Mr Resh called for the Ayes and Nays, and the Call was sustained.

Upon the call of the roll the following Members voted in the Affirmative, Messrs

Allen
Berry
Blackenship
Brock
Chaney
Cobb
Coleman of Black
Cunningham
Davis of Searcy
Davidson
Duncan
Dunnagin
Fisher
Floyd
Foster
Gardner
Gibson
Gray
Hudler
Lankan
Lee
Maynard
Martin of Faulkner
McHenry
McKennon
McLeod
Miller
Mooney
Morton
Peoples
Poynter
Reeler
Reid
Stanley
Stubbs
Tate
Thomason
Walsen
Weaver
Wells
and) Williams of Hot Springs

The following members voted in the negative

Messrs.

Adams
Bennett
Bond
Bradley
Brown
Cassidy
Chapman
Fitzpatrick
Garrison of Dalton
Garrison of Lyle
Hendricks
Jacks

Mathews
McRae
Morgan
Pearce
Penny
Price
Rice
Robertson
Sawyer
Sneider
Whitson
Widener
Williamson

and Mr Speaker 26

For the affirmative 39
By the Negative 26
Absent & Not Voting 27
92

So the motion to reconsider the vote by which senate bill No 121 was rejected: and
Was laid on the table.

Mr Watson moved: That at 12 Oclock M. this day the Speaker shall declare, this house adjourn, Sine die.

Upon which motion Mr Berry called for the Ayes, and Nays, and the call was sustained.

The Ayes & Noes were ordered and the following members voted in the affirmative.
Mr Berry.

Allen
Avera
Bennett
Berry.

Best
Blankenship
Brown
Cothran

Dwyer of Kennedy
Dunnam
Dunaway
Durham
Ebberson
Fair
Foster
Floyd
Harrison of Dallas
Hamlin
Hunter
Lee.
Martin of Faulkner
Mathews
McKinnon
McLeod

and

Major
Mooney
Morgan
Morton
Pearce
Peavey
Poynter
Price
Rector
Rice
Sawyer
Walker
Watson
Wear
Wells
Wilson. 40

The following members entered in the negative: Messrs.

Baily
Brock
Bruner
Bowman of Clark
Cutsinger
Cunningham
Davidson
Eagle
Fokes
Goodwin
Gresham
Gray
Harrison of Yell
Jacks
Lambert
Mcewen of
McKennon

McRae
Reaves
Rascoe
Reid
Ralston
Smith
Stanley
Stinson
Stubbs
Tate
Thompson
Warren of Union
Wilson
Wise county of Jefferson
Williamson
and
Winkleman 33

In the affirmative 40
In the negative 33
Absent & Not voting 19
92

So the motion to adjourn Sine die at 12 Oblock M
this day was adopted

Mr Chaney moved that a committee of three be
appointed to wait upon his Excellency the Governor
and inform him that the House was now about
to adjourn, and to ascertain if he had any
further Communications to make.

Which motion was ad-
opted, and the Speaker appointed Messrs Chaney
Braley and Avera as such Committee.

The Committee retired and after communicating
with the Governor reported through its Chair-
man, that they had performed the duty impo-
sed upon them and that the Governor had in-
formed them that he had no further Communic-
ations to make

A message from the Senate by Mr C.H Wood
who appeared within the Hall of the House
and read as follows:

Senate Chamber
March 8th 1877.

Mr Speaker;

I am instructed by the Senate to
inform your honorable body of the concurrence
by the Senate in H.C.R No. 10. "Providing
for ascertaining and adjusting the indebtedness
of the state."
and herewith respectfully transmit the same.

At 12 Oclock M. the Speaker declared
the House adjourned Sine die.

Thomas M. Newton
Clerk.

D. L. Killgore
Speaker.

Mr. Speaker

The Committee on Enrolled Bills, to whom was referred House Bills No. 194. No. 193. No. 30. No. 187. No. 35. No. 1. No. 69. No. 32. No. 97. No. 83. No. 65. No. 57. No. 195 No. 62. No. 114. No. 197. No. 72. No. 82. No. 191 and House memorial No. 6

Beg leave to report That after carefully examining the same find said Bills Correctly Enrolled

Headlee Acting Chairman

Ayes 212— 200 — 5—3—

6 — 116 — 70—

STATE OF ARKANSAS.

House of Representatives.

Dawson L. Killgore,
Speaker

Thos W. Newton,
Clerk

Little Rock, March 9th 1877

Mr Speaker

Your Committee to whom was Referred the Journals of the House of Representatives at its present Session, ask to Submit the following Report.

We have carefully examined said Journals and find that the same have been well and neatly kept and correctly made out

Respectfully Submitted

Foster Sharman

Reid

Lee

Mooney